

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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CLERK U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

MICROSOFT CORPORATION, a
Washington corporation, and FS-ISAC, INC.,
a Delaware corporation,

Plaintiffs,

v.

JOHN DOES 1-8, CONTROLLING A
COMPUTER BOTNET THEREBY
INJURING PLAINTIFFS, AND THEIR
CUSTOMERS AND MEMBERS,

Defendants.

Civil Action No: 1:14 CV 811
LOG/TCB

**FILED UNDER SEAL PURSUANT TO
LOCAL CIVIL RULE 5**

**[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION FOR A PROTECTIVE ORDER SEALING DOCUMENTS**

This matter came before the Court on the motion of Plaintiffs to allow the filing under seal of certain documents and general sealing of this case for a limited time. Upon consideration of the Motion to Seal, the pleadings filed herein, the arguments of counsel, and the Court finding that the arguments of applicable rules and Fourth Circuit precedent are satisfied, that the requested order is the least restrictive means available to protect the interests of Plaintiffs and the public, and that there is a compelling need to enter a temporally limited sealing order, THEREFORE it is hereby

ORDERED that the instant case and the following documents be filed and maintained UNDER SEAL in accordance with Fed. R. Civ. P. 26(c)(1) and Local Civil Rule 5, pending execution of both the temporary restraining order requested in Plaintiffs' *Ex Parte* Application for Emergency Temporary Restraining Order And Order To Show Cause re Preliminary

Injunction concurrently filed in this matter on June 27, 2014:

1. Motion for Protective Order Sealing Documents and attachments hereto, including the Non-Confidential Brief in support of this Motion;
2. Plaintiffs' Complaint and attachments thereto;
3. Pro Hac Vice Applications of Gabriel Ramsey, Jacob Heath, and Robert Uriarte;
4. Motion to Exceed Page Limits and Attachments thereto;
5. Confidential Memorandum re: Protective Order to Seal Documents and attachments thereto;
6. *Ex Parte* Application for an Emergency Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and accompanying documents;
7. Brief in Support of *Ex Parte* Application for an Emergency Temporary Restraining Order and Order to Show Cause re Preliminary Injunction;
8. the Declaration of Vishant Patel in Support of *Ex Parte* Application for an Emergency Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and Exhibits thereto;
9. the Declaration of Edgardo Diaz, Jr. in Support of *Ex Parte* Application for an Emergency Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and Exhibits thereto;
10. the Declaration Jacob Heath in Support of *Ex Parte* Application for an Emergency Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and Exhibits thereto;
11. the Declaration of Eric Guerrino in Support of *Ex Parte* Application for an Emergency Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and Exhibits thereto; and
12. [Proposed] *Ex Parte* Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction.

IT IS FURTHER ORDERED that, immediately upon execution of the temporary restraining order sought by Plaintiffs in the Application for TRO, the instant case shall be

unsealed and the foregoing documents shall be filed in the public docket.

IT IS FURTHER ORDERED that upon execution of the *ex parte* relief sought in the Application for TRO, Plaintiffs shall file with the Clerk of the Court a Notice that the temporary restraining order has been executed, and Plaintiffs shall be permitted to disclose such material as deemed necessary, including in order to commence their efforts to provide Defendants notice of the preliminary injunction hearing and service of the Complaint by publication and other means.

IT IS FURTHER ORDERED that in the event the Court elects not to grant Plaintiffs' TRO Application, these materials shall remain sealed until such time as public filing of these materials will no longer present a risk of preventing Plaintiffs from obtaining effective relief on their claims.

IT IS SO ORDERED

Entered this __ day of _____, 2014.

United States District Judge