

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

DXC TECHNOLOGY COMPANY, a  
Nevada corporation,

Plaintiff,

v.

JOHN DOES 1-2,

Defendants.

Civil Action No: 1:20-cv-00814

**[PROPOSED] DEFAULT JUDGMENT AND ORDER FOR PERMANENT INJUNCTION**

This matter came before the Court on Plaintiff DXC Technology Company’s (“DXC”) Motion for Default Judgment and Permanent Injunction. DXC has established the elements of its claims pursuant to: (1) the Computer Fraud and Abuse Act (18 U.S.C. § 1030); (2) the Electronic Communications Privacy Act (18 U.S.C. § 2701); (3) common law trespass to chattels, (4) conversion, and (5) unjust enrichment. Defendants have failed to appear, plead, or otherwise defend this action. DXC is entitled to default judgment under Rule 55(b) of the Federal Rules of Civil Procedure and a permanent injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure, and 28 U.S.C. § 1651(a) (the All-Writs Act):

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Having reviewed the papers, declarations, exhibits, memorandum, and all other pleadings and papers relevant to DXC’s Motion for Default Judgment and Entry of a Permanent Injunction, the Court hereby makes the following findings of fact and conclusions of law:

1. The Defendants were properly served with DXC’s summons, complaint, and other pleadings in this action and were provided with adequate notice of this action through means

authorized by law, satisfying Due Process, satisfying Fed. R. Civ. P. 4 and reasonably calculated to provide Defendants with notice. Specifically, Defendants have been served via e-mail at e-mail addresses associated with infrastructure used by Defendants to carry out the activity that is the subject of the complaint and by publication on the public website <http://www.dxclegalnotice.com/>.

2. Defendants failed to appear, plead, or otherwise defend against the action.

3. The time for responding to DXC's complaint was 21 days from service of the summons and complaint, and more than 21 days have elapsed since DXC effected service. The Clerk properly entered default pursuant to Rule 55(a) on December 18, 2020. Dkt. No. 35.

4. This Court has jurisdiction over the subject matter of the case and venue is proper in this judicial district.

5. DXC is entitled to entry of judgment and a permanent injunction against Defendants.

6. The evidence of record indicates that no Defendant is an infant or incompetent.

7. Defendants have engaged in and are likely to engage in acts or practices that violate the Computer Fraud and Abuse Act (18 U.S.C. § 1030), Electronic Communications Privacy Act (18 U.S.C. § 2701), and the common law of trespass to chattels, conversion, and unjust enrichment.

8. After receiving notice of the Preliminary Injunction, the Defendants have continued to engage in the conduct enjoined by the Preliminary Injunction, and therefore continue to violate the Preliminary Injunction. In particular, using new domains which include DXC's trademarks and brands, the Defendants have continued:

- a. intentionally accessing and sending malicious software, code, and instructions to the protected computers, operating systems, and computer networks of

DXC and the customers of DXC, without authorization or exceeding authorization, in order to

- i. infect those computers and operating systems with malicious code and thereby attempt to gain control over those computers and operating systems;
- ii. attack the security of those computers by conducting remote reconnaissance and attempting to access information on those computers, without authorization;

9. There is good cause to believe that Defendants are likely to continue the foregoing conduct and to engage in the illegal conduct and purposes enjoined by the Preliminary Injunction, unless Defendants are permanently restrained and enjoined and unless final relief is ordered to expeditiously prevent Defendants from maintaining the registration of domains for such prohibited and unlawful purposes, on an ongoing basis.

10. There is good cause to believe that, unless Defendants are permanently restrained and enjoined and unless further relief is ordered to expeditiously prevent Defendants from maintaining the registration of domains for purposes enjoined by the Preliminary Injunction, on an ongoing basis, immediate and irreparable harm will result to DXC, DXC's customers and to the public, from the Defendants' ongoing violations.

11. There is good cause to believe that to halt the injury caused by Defendants, they must be prohibited from using domains, as set forth below.

12. The hardship to DXC and its customers that will result if a permanent injunction does not issue weighs in favor of an injunction. Defendants will suffer no cognizable injury as a result of being enjoined from further illegal conduct.

13. There is good cause to permit notice of the instant Order, further orders of the court and service of the Complaint by formal and alternative means. The following means of service are authorized by law, satisfy Due Process, and satisfy Fed. R. Civ. P. 4(f)(3) and are

reasonably calculated to notify Defendants of the instant order: (1) transmission by email, facsimile, mail and/or personal delivery to the contact information provided by Defendants to their domain registrars and hosting companies, and (2) publishing notice on the publicly available website <http://www.noticeofpleadings.com/thallium>.

**FINAL JUDGMENT AND PERMANENT INJUNCTION**

**IT IS THEREFORE ORDERED** that in accordance with Fed. R. Civ. P. 65(b) and 53(a)(1)(C), 15 U.S.C. § 1116(a) and 28 U.S.C. § 1651(a) and the court's inherent equitable authority, good cause and the interests of justice, DXC's Motion for Default Judgment and Entry of a Permanent Injunction is Granted.

**IT IS FURTHER ORDERED** that Defendants are in default, and that judgment is awarded in favor of DXC and against Defendants.

**IT IS FURTHER ORDERED** that, Defendants, Defendants' representatives, and persons who are in active concert or participation with Defendants, are permanently restrained and enjoined from: (1) intentionally accessing and sending malicious software or code to DXC's protected computers, including its computers and network devices, or the computers or networks of any other party, without authorization; (2) intentionally attacking and compromising computers or computer networks of DXC or the computers or networks of any other party, to access computing resources and information on those devices, or for any other illegal purpose; (3) configuring, deploying, operating, or otherwise participating in or facilitating a command and control infrastructure, or any component or element of the command and control infrastructure at any location; (4) stealing or exfiltrating information from DXC or any other party, including through the foregoing activities; (5) delivering malicious software designed to steal account credentials, (6) delivering malicious "ransomware" software designed to lock access to

computers and demand a ransom form victims, (7) carrying out fraudulent schemes, (8) misappropriating that which rightfully belongs to DXC or any other party, or in which DXC or any other party has a proprietary interest, including through the foregoing activities; (9) downloading or offering to download additional malicious software onto DXC's computers and networks or the computer of any other party; (10) monitoring the activities of DXC's customers and stealing information from them; (11) attacking computers and networks, monitoring activities of users, and theft of information or (12) undertaking any similar activity that inflicts harm on DXC, any other party or the public.

**IT IS FURTHER ORDERED** that Defendants shall forfeit ownership and control of all domains used to carry out the activities enjoined herein, including the domains identified at **Appendix A.**

**IT IS SO ORDERED**

Entered this \_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
United States District Judge

## **APPENDIX A**

**.ORG DOMAINS****Registry****Public Interest Registry (PIR)****1775 Wiehle Avenue****Suite 200****Reston, VA 20190****United States**

Hyui.org	Domain name: HYUI.ORG Registry Domain ID: D402200000013161847-LROR Registrar WHOIS Server: whois.namecheap.com Registrar URL: <a href="http://www.namecheap.com">http://www.namecheap.com</a> Updated Date: 0001-01-01T00:00:00.00Z Creation Date: 2020-04-07T06:13:45.00Z Registrar Registration Expiration Date: 2021-04-07T06:13:45.00Z Registrar: NAMECHEAP INC Registrar IANA ID: 1068 Registrar Abuse Contact Email: <a href="mailto:abuse@namecheap.com">abuse@namecheap.com</a> Registrar Abuse Contact Phone: +1.6613102107 Reseller: NAMECHEAP INC Domain Status: clientTransferProhibited <a href="https://icann.org/epp#clientTransferProhibited">https://icann.org/epp#clientTransferProhibited</a> Domain Status: serverTransferProhibited <a href="https://icann.org/epp#serverTransferProhibited">https://icann.org/epp#serverTransferProhibited</a> Domain Status: addPeriod <a href="https://icann.org/epp#addPeriod">https://icann.org/epp#addPeriod</a> Registry Registrant ID: Registrant Name: WhoisGuard Protected Registrant Organization: WhoisGuard, Inc. Registrant Street: P.O. Box 0823-03411 Registrant City: Panama Registrant State/Province: Panama Registrant Postal Code: Registrant Country: PA Registrant Phone: +507.8365503 Registrant Phone Ext: Registrant Fax: +51.17057182 Registrant Fax Ext: Registrant Email: <a href="mailto:fb9612e372434681a12a34685d6de6e7.protect@whoisguard.com">fb9612e372434681a12a34685d6de6e7.protect@whoisguard.com</a> Registry Admin ID: Admin Name: WhoisGuard Protected Admin Organization: WhoisGuard, Inc. Admin Street: P.O. Box 0823-03411 Admin City: Panama Admin State/Province: Panama Admin Postal Code: Admin Country: PA Admin Phone: +507.8365503
----------	---

	Admin Phone Ext: Admin Fax: +51.17057182 Admin Fax Ext: Admin Email: <a href="mailto:fb9612e372434681a12a34685d6de6e7.protect@whoisguard.com">fb9612e372434681a12a34685d6de6e7.protect@whoisguard.com</a> Registry Tech ID: Tech Name: WhoisGuard Protected Tech Organization: WhoisGuard, Inc. Tech Street: P.O. Box 0823-03411 Tech City: Panama Tech State/Province: Panama Tech Postal Code: Tech Country: PA Tech Phone: +507.8365503 Tech Phone Ext: Tech Fax: +51.17057182 Tech Fax Ext: Tech Email: <a href="mailto:fb9612e372434681a12a34685d6de6e7.protect@whoisguard.com">fb9612e372434681a12a34685d6de6e7.protect@whoisguard.com</a> Name Server: dns1.registrar-servers.com Name Server: dns2.registrar-servers.com DNSSEC: unsigned URL of the ICANN WHOIS Data Problem Reporting System: <a href="http://wdprs.internic.net/">http://wdprs.internic.net/</a> >>> Last update of WHOIS database: 2020-07-31T17:19:29.32Z <<<
--	---

**.SPACE DOMAINS**

**Registrar**

**PDR Ltd. d/b/a PublicDomainRegistry.com**  
**c/o Endurance International Group Inc.**  
**10 Corporate Drive**  
**Burlington, MA 01803**

**Registry**

**DotSpace Inc. (Radix)**  
**F/19, BC1, Ras Al Khaimah FTZ, P.O Box # 16113**  
**Ras Al Khaimah, Ras Al Khaimah 16113**  
**AE**  
**Tel: +1 415 449 4774**  
**Email: [contact@radixregistry.com](mailto:contact@radixregistry.com)**  
**<http://radixregistry.com/>**

Probes.space	Domain Name: PROBES.SPACE Registry Domain ID: Not Available From Registry Registrar WHOIS Server: whois.publicdomainregistry.com Registrar URL: www.publicdomainregistry.com Updated Date: 2020-06-25T12:09:09Z Creation Date: 2020-06-25T12:09:08Z Registrar Registration Expiration Date: 2021-06-25T23:59:59Z Registrar: PDR Ltd. d/b/a PublicDomainRegistry.com
--------------	--



Registrar IANA ID: 303  
Domain Status: clientTransferProhibited  
<https://icann.org/epp#clientTransferProhibited>  
Registry Registrant ID: Not Available From Registry  
Registrant Name: Sergey  
Registrant Organization:  
Registrant Street: Moscow  
Registrant City: Moscow  
Registrant State/Province: Moscow  
Registrant Postal Code: 143900  
Registrant Country: RU  
Registrant Phone: +7.9124531269  
Registrant Phone Ext:  
Registrant Fax:  
Registrant Fax Ext:  
Registrant Email: [probeswork666@gmail.com](mailto:probeswork666@gmail.com)  
Registry Admin ID: Not Available From Registry  
Admin Name: Sergey  
Admin Organization:  
Admin Street: Moscow  
Admin City: Moscow  
Admin State/Province: Moscow  
Admin Postal Code: 143900  
Admin Country: RU  
Admin Phone: +7.9124531269  
Admin Phone Ext:  
Admin Fax:  
Admin Fax Ext:  
Admin Email: [probeswork666@gmail.com](mailto:probeswork666@gmail.com)  
Registry Tech ID: Not Available From Registry  
Tech Name: Sergey  
Tech Organization:  
Tech Street: Moscow  
Tech City: Moscow  
Tech State/Province: Moscow  
Tech Postal Code: 143900  
Tech Country: RU  
Tech Phone: +7.9124531269  
Tech Phone Ext:  
Tech Fax:  
Tech Fax Ext:  
Tech Email: [probeswork666@gmail.com](mailto:probeswork666@gmail.com)  
Name Server: casey.ns.cloudflare.com  
Name Server: desiree.ns.cloudflare.com  
DNSSEC: Unsigned  
Registrar Abuse Contact Email: [abuse-contract@publicdomainregistry.com](mailto:abuse-contract@publicdomainregistry.com)  
Registrar Abuse Contact Phone: +1.2013775952  
URL of the ICANN WHOIS Data Problem Reporting System:  
<http://wdprs.internic.net/>  
>>> Last update of WHOIS database: 2020-07-17T01:11:09Z

	<p>&lt;&lt;&lt;</p> <p>For more information on Whois status codes, please visit  <a href="https://icann.org/epp">https://icann.org/epp</a></p> <p>Registration Service Provided By: REGWAY.COM</p>
--	--

**.WEBSITE DOMAINS**

**Registrar**

**PDR Ltd. d/b/a PublicDomainRegistry.com  
 c/o Endurance International Group Inc.  
 10 Corporate Drive  
 Burlington, MA 01803**

**Registry**

**DotWebsite Inc. (Radix)  
 F/19, BC1, Ras Al Khaimah FTZ, P.O Box # 16113  
 Ras Al Khaimah, Ras Al Khaimah 16113  
 AE  
 Tel: +1 415 449 4774  
 Email: [contact@radixregistry.com](mailto:contact@radixregistry.com)  
<http://radixregistry.com/>**

<p>Probes.website</p>	<p>Domain Name: PROBES.WEBSITE                  Registry Domain ID: Not Available From Registry                  Registrar WHOIS Server: whois.publicdomainregistry.com                  Registrar URL: www.publicdomainregistry.com                  Updated Date: 2020-06-25T12:09:10Z                  Creation Date: 2020-06-25T12:09:08Z                  Registrar Registration Expiration Date: 2021-06-25T23:59:59Z                  Registrar: PDR Ltd. d/b/a PublicDomainRegistry.com                  Registrar IANA ID: 303                  Domain Status: clientTransferProhibited  <a href="https://icann.org/epp#clientTransferProhibited">https://icann.org/epp#clientTransferProhibited</a>                  Registry Registrant ID: Not Available From Registry                  Registrant Name: Sergey                  Registrant Organization:                  Registrant Street: Moscow                  Registrant City: Moscow                  Registrant State/Province: Moscow                  Registrant Postal Code: 143900                  Registrant Country: RU                  Registrant Phone: +7.9124531269                  Registrant Phone Ext:                  Registrant Fax:                  Registrant Fax Ext:                  Registrant Email: <a href="mailto:probeswork666@gmail.com">probeswork666@gmail.com</a>                  Registry Admin ID: Not Available From Registry                  Admin Name: Sergey</p>
-----------------------	--

	<p>Admin Organization:  Admin Street: Moscow  Admin City: Moscow  Admin State/Province: Moscow  Admin Postal Code: 143900  Admin Country: RU  Admin Phone: +7.9124531269  Admin Phone Ext:  Admin Fax:  Admin Fax Ext:  Admin Email: <a href="mailto:probeswork666@gmail.com">probeswork666@gmail.com</a>  Registry Tech ID: Not Available From Registry  Tech Name: Sergey  Tech Organization:  Tech Street: Moscow  Tech City: Moscow  Tech State/Province: Moscow  Tech Postal Code: 143900  Tech Country: RU  Tech Phone: +7.9124531269  Tech Phone Ext:  Tech Fax:  Tech Fax Ext:  Tech Email: <a href="mailto:probeswork666@gmail.com">probeswork666@gmail.com</a>  Name Server: <a href="http://ajay.ns.cloudflare.com">ajay.ns.cloudflare.com</a>  Name Server: <a href="http://tricia.ns.cloudflare.com">tricia.ns.cloudflare.com</a>  DNSSEC: Unsigned  Registrar Abuse Contact Email: <a href="mailto:abuse-contact@publicdomainregistry.com">abuse-contact@publicdomainregistry.com</a>  Registrar Abuse Contact Phone: +1.2013775952  URL of the ICANN WHOIS Data Problem Reporting System:  <a href="http://wdprs.internic.net/">http://wdprs.internic.net/</a>  &gt;&gt;&gt; Last update of WHOIS database: 2020-07-17T08:08:09Z  &lt;&lt;&lt;</p> <p>For more information on Whois status codes, please visit  <a href="https://icann.org/epp">https://icann.org/epp</a></p> <p>Registration Service Provided By: REGWAY.COM</p>
--	--

**.SITE DOMAINS**

**Registrar**

**PDR Ltd. d/b/a PublicDomainRegistry.com  
c/o Endurance International Group Inc.  
10 Corporate Drive  
Burlington, MA 01803**

**Registry**

**DotSite Inc. (Radix)  
F/19, BC1, Ras Al Khaimah FTZ, P.O Box #16113**

**Ras Al Khaimah, Ras Al Khaimah 16113**

**AE**

**Tel: +14153580831**

**Email: [contact@radixregistry.com](mailto:contact@radixregistry.com)**

**<http://www.radixregistry.com>**

<p>Probes.site</p>	<p>Domain Name: PROBES.SITE                  Registry Domain ID: Not Available From Registry                  Registrar WHOIS Server: whois.publicdomainregistry.com                  Registrar URL: www.publicdomainregistry.com                  Updated Date: 2020-06-25T12:09:09Z                  Creation Date: 2020-06-25T12:09:08Z                  Registrar Registration Expiration Date: 2021-06-25T23:59:59Z                  Registrar: PDR Ltd. d/b/a PublicDomainRegistry.com                  Registrar IANA ID: 303                  Domain Status: clientTransferProhibited  <a href="https://icann.org/epp#clientTransferProhibited">https://icann.org/epp#clientTransferProhibited</a>                  Registry Registrant ID: Not Available From Registry                  Registrant Name: Sergey                  Registrant Organization:                  Registrant Street: Moscow                  Registrant City: Moscow                  Registrant State/Province: Moscow                  Registrant Postal Code: 143900                  Registrant Country: RU                  Registrant Phone: +7.9124531269                  Registrant Phone Ext:                  Registrant Fax:                  Registrant Fax Ext:                  Registrant Email: <a href="mailto:probeswork666@gmail.com">probeswork666@gmail.com</a>                  Registry Admin ID: Not Available From Registry                  Admin Name: Sergey                  Admin Organization:                  Admin Street: Moscow                  Admin City: Moscow                  Admin State/Province: Moscow                  Admin Postal Code: 143900                  Admin Country: RU                  Admin Phone: +7.9124531269                  Admin Phone Ext:                  Admin Fax:                  Admin Fax Ext:                  Admin Email: <a href="mailto:probeswork666@gmail.com">probeswork666@gmail.com</a>                  Registry Tech ID: Not Available From Registry                  Tech Name: Sergey                  Tech Organization:                  Tech Street: Moscow                  Tech City: Moscow                  Tech State/Province: Moscow                  Tech Postal Code: 143900                  Tech Country: RU</p>
--------------------	--

Tech Phone: +7.9124531269  
Tech Phone Ext:  
Tech Fax:  
Tech Fax Ext:  
Tech Email: [probeswork666@gmail.com](mailto:probeswork666@gmail.com)  
Name Server: jacob.ns.cloudflare.com  
Name Server: mary.ns.cloudflare.com  
DNSSEC: Unsigned  
Registrar Abuse Contact Email: [abuse-contact@publicdomainregistry.com](mailto:abuse-contact@publicdomainregistry.com)  
Registrar Abuse Contact Phone: +1.2013775952  
URL of the ICANN WHOIS Data Problem Reporting System:  
<http://wdprs.internic.net/>  
>>> Last update of WHOIS database: 2020-07-17T08:09:33Z  
<<<

For more information on Whois status codes, please visit  
<https://icann.org/epp>