

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Civil Action No. 16-1780
	)	
	)	
v.	)	
	)	
“flux”	)	
a/k/a “ffhost,”	)	
	)	
and,	)	
	)	
“flux2”	)	
a/k/a “ffhost2”	)	
	)	
Defendants.	)	

**MOTION FOR PRELIMINARY INJUNCTION**

The United States of America, by and through its attorneys Soo C. Song, Acting United States Attorney for the Western District of Pennsylvania and Leslie R. Caldwell, Assistant Attorney General, Assistant Attorney General, Michael A. Comber, Assistant United States Attorney, and Richard D. Green, Senior Trial Attorney, respectfully moves pursuant to Title 18, United States Code, Sections 1345 and 2521 and Rule 65(a) of the Federal Rules of Civil Procedure, for a Preliminary Injunction against Defendants “flux” and “flux2.”

In support of its Motion, the Government respectfully refers the Court to the Government’s previously filed Memorandum of Law in Support of Motion for Temporary Restraining Order and Order to Show Cause (Dkt. No. 4), the Declaration of Special Agent Aaron Francis (Dkt. No. 2, Atch., 1), and the attached Supplemental Declaration of Special Agent Aaron Francis (“Francis

Supp. Decl.”) regarding attempted service of process on the Defendants as well as additional domain names to be included in Appendices A and B.

As indicated in the Supplemental Declaration of SA Francis, extraordinary attempts have been made to provide notice of these proceedings to the Defendants. In addition to the efforts described in the Supplemental Declaration, the documents that have been unsealed are available to the Defendants and the public at large on the web site of the U.S. Department of Justice and links the location of these posted documents have been included in public statements made by the FBI and the U.S. Department of Justice. For the reasons stated in its Memorandum of Law (Dkt. No. 4), and the authorities cited therein, the United States maintains that all reasonable efforts have been made to serve the Defendants with notice of this action.

Furthermore, additional domain names have been identified during the course of the initial actions pursuant to the previous Temporary Restraining Order issued by this Court and some of the unregistered domain names in Appendix B have become registered prior to action being taken. The additional domain names, as supported by the Supplemental Declaration of SA Francis, are likely to be used by the Defendants to further the criminal conduct that has been enjoined by this Court. Francis Supp. Decl. ¶ 7. As such, the United States respectfully moves this Court to include them in the Court’s Order to block these additional domains as identified in Appendix B.1. Equally, the domain names that have changed status from unregistered (listed in Appendix B) to registered, as supported by the Supplemental Declaration, are likely to be used by the Defendants to support their criminal activities. *Id.*, at ¶ 5. The United States respectfully moves this Court as to these domain names that have changed status (identified in Appendix A.1), to Order that these domain names be made immediately inaccessible to the Defendants and that these domain names be redirected to the following name-servers: [sc-a.sinkhole.shadowserver.org](http://sc-a.sinkhole.shadowserver.org) [217.160.6.63];

b.sinkhole.shadowserver.org [87.106.250.34]; sc-c.sinkhole.shadowserver.org [87.106.34.1]; and,  
sc-d.sinkhole.shadowserver.org [87.106.86.28].

Respectfully submitted,

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