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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BANK JULIUS BAER & CO. LTD, a Swiss entity; and **JULIUS BAER BANK AND TRUST CO. LTD**, a Cayman Islands entity,

Plaintiffs,

v.

WIKILEAKS, an entity of unknown form, **WIKILEAKS.ORG**, an entity of unknown form; **DYNADOT, LLC**, a California limited liability corporation, and **DOES 1 through 10**, inclusive,

Defendants.

CASE NO. CV08-0824 JSW
[Hon. Jeffrey S. White]

**[PROPOSED] AMENDED
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE RE PRELIMINARY
INJUNCTION**

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1 **TO DEFENDANTS WIKILEAKS, WIKILEAKS.ORG, DYNADOT,**
2 **LLC, AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

3 This matter having come before the Court on Plaintiffs BANK JULIUS BAER
4 & CO. LTD's and JULIUS BAER BANK AND TRUST CO. LTD's (collectively
5 herein, "Julius Baer" and/or "Plaintiffs") ex parte application for temporary
6 restraining order and order to show cause re preliminary injunction ("Application")
7 against Defendants WIKILEAKS, WIKILEAKS.ORG, DYNADOT, LLC and
8 DOES 1-10;

9 And, the Court having considered the Complaint, the declarations and
10 memorandum of points and authorities presented by Plaintiffs in support of the
11 Application, and any other papers, evidence or arguments presented by the parties
12 in connection with Plaintiffs' Application;

13 And, the Court having found that good cause exists therefor, and Plaintiffs
14 having shown that immediate harm will result to Plaintiffs in the absence of the
15 requested relief,

16 **IT IS HEREBY ORDERED THAT:**

17 1. DEFENDANTS WIKILEAKS and WIKILEAKS.ORG and DOES 1-10
18 (collectively the "Wikileaks Defendants"), and all of their respective officers,
19 directors, stockholders, owners, registrants, web host providers, DNS hosts, service
20 providers, website site developers, website operators, website server providers,
21 agents, servants, employees, representatives and attorneys, and all those in active
22 concert or participation with the Wikileaks Defendants, and each of them, and all
23 others who receive notice of this order, are, pending hearing on this Court's below-
24 issued Order to Show Cause, hereby ordered, enjoined and restrained as follows:

25 (a) RESTRAINED and ENJOINED from displaying, posting,
26 publishing, distributing, linking to and/or otherwise providing any information for
27 the access or other dissemination of copies of and/or images of the JB Property (as
28 defined herein below) and any information or data contained therein, including on

1 the websites operated at wikileaks.org, wikileaks.org.au, wikileaks.org.uk,
2 wikileaks.la, wikileaks.cn, wikileaks.in, wikileaks.org.nz (collectively the
3 “Wikileaks Websites”), and any other websites under their ownership, control
4 and/or which they can post or edit any content;

5 (b) RESTRAINED and ENJOINED from any current and any further
6 use, display, post, publication, distribution, linking to and/or otherwise providing
7 any information for the access or other dissemination of copies of and/or images of
8 the JB Property and any information or data contained therein, including on the
9 Wikileaks websites and any other websites under their ownership, control and/or
10 which they can post or edit any content;

11 (c) ORDERED to immediately block and otherwise prevent any
12 current and any further use, display, posting, publication, distribution, linking to
13 and/or other dissemination of copies of and/or images of the JB Property and any
14 other new or additional yet unpublished documents and data that constitute or could
15 reasonably be known to be or considered to constitute JB Property, pending further
16 order of this Court;

17 (d) ORDERED to immediately remove from their Wikileaks
18 Websites, including but not limited to wikileaks.org website, and any other websites
19 owned or operated by the Wikileaks Defendants or within their control, any and all
20 copies of and/or images of the JB Property and any information or data contained
21 therein;

22 (e) ORDERED to immediately give notice of this Order to all of the
23 Wikileaks Defendants’ DNS host service providers, ISP’s, domain registrars,
24 website site developers, website operators, website host service providers, and
25 administrative and technical domain contacts, and anyone else responsible or with
26 access to modify the website, and that they are to cease and desist from any current
27 and any further use, display, posting, publication, distribution, linking to and/or
28 other dissemination of copies of and/or images of the JB Property and any

1 information contained therein pending further order of this Court;

2 (f) ORDERED to submit proof to the Court, under penalty of
3 perjury, that all JB Property has been removed from the Wikileaks Websites and any
4 and all links or information for access thereof;

5 (g) ORDERED that the Wikileaks Defendants are to immediately
6 provide Plaintiffs' counsel with the name, address, telephone number, and facsimile
7 transmission number for all of their DNS hosting services, ISP's, domain registrars,
8 website site developers, website operators and website host service providers, so
9 Plaintiffs can provide such persons/entities with notice of this Order at Plaintiffs'
10 election.

11 2. "JB Property" Defined: JB Property includes any and all documents
12 and information originating from Bank Julius Baer & Co. Ltd's and Julius Baer Bank
13 and Trust Co. Ltd's banks and affiliated bank branches, which are internal non-
14 public company documents and/or which contains private client or customer bank
15 records and/or identifies client or customer names, data, account records and/or
16 bank account numbers, whether or not such documents and information are
17 authentic, semi-altered, semi-fraudulent or forged, and which appears to have
18 originated from or could reasonably be known to be or considered to constitute or
19 have originated from data and documents stolen or misappropriated from one or
20 more of Plaintiff's bank branches and/or computers. For example, but is not limited
21 to, the JB Property posted on or made available through the Wikileaks Websites that
22 is subject to this Order and enjoined from further use, display, post, publication,
23 distribution, linking to and/or other dissemination, is listed and set forth on the
24 attached Exhibit "A".

25 3. Defendants are hereby ORDERED TO SHOW CAUSE and to appear
26 before this Court in Courtroom 2 (17th Floor), located at 450 Golden Gate Ave., San
27 Francisco, California 94102, at __:__.m., or as soon thereafter as this matter may
28 be heard on February __, 2008, then and there to show cause (the "OSC

1 Hearing”), if any, that the Wikileaks Defendants, and each of them, and their
2 respective officers, directors, stockholders, owners, subsidiaries, agents, servants,
3 employees and attorneys and all those in active concert or participation with the
4 Wikileaks Defendants or them, and each of them, while pending the determination
5 of this action and further Order of this Court, why a preliminary injunction should
6 not issue continuing the above Temporary Restraining Order.

7 **EFFECTIVE DATE/TIME**

8 The above Temporary Restraining Order is effective immediately upon
9 issuance; and Plaintiffs’ are ordered to file an undertaking within five-business days
10 in the sum of \$ _____ Dollars.

11 **SERVICE OF PROCESS**

12 A copy of this Order shall be served upon the Defendants via email by not
13 later than _____, 2008.

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15 Any Opposition papers shall be served and filed by __:00 __.m. on _____,
16 2008, and any Reply papers shall be filed and served via any of the same listed
17 means by __:00 __.m. on _____, 2008.

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20 **IT IS SO ORDERED.**

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22 Dated: _____, 2008

23 _____
24 HON. JEFFREY S. WHITE
25 UNITED STATES DISTRICT JUDGE
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EXHIBIT "A"

The following is an identifying list of certain of the JB Property which was posted on or made available through the wikileaks.org website and which is subject to the Court's Order and enjoined from further use, display, post, publication, distribution, linking to and/or other dissemination:

1.)

Document title:	BJB - Roberto de Andrade - Gaynor Jaguar Angel Yara Trusts
URL Link:	http://www.wikileaks.org/wiki/BJB - Roberto de Andrade - Gaynor Jaguar Angel Yara Trusts
File Name:	bjb-andrade.zip
Wikileaks File Identity No:	SHA256 39010e85348a18b7cd091d3dc7b94ffdea076203a08df0d93822a486416b2e3e
Wikileaks Release Date:	2008-01-18

2.)

Document title:	BJB - Luis Nozaleda - Blanca R avena - Madrid - USD 18 mil
URL Link:	http://www.wikileaks.org/wiki/BJB - Luis Nozaleda - Blanca R avena - Madrid - USD 18 mil
File Name:	bjb-luis-avenvas.zip
Wikileaks File Identity No:	SHA256 eac16b8eb17f21e6cfa496dff61aea1d11bd223739e6f093fb9411df4603cb51
Wikileaks Release Date:	2008-01-18

3.)

Document title:	BJB - Juan Carlos Cespedes - SF holdings - 11 mil
URL Link:	http://www.wikileaks.org/wiki/BJB - Juan Carlos Cespedes - SF holdings - 11 mil
File Name:	bjb-peru.zip
Wikileaks File Identity No:	SHA256 ffac47f723724cf36a1f8a015ea81648e70806225fce5af0c182fde6c3480a71
Wikileaks Release Date:	2008-01-18

1 4.)

2 Document title:	BJB - Mr. Lewis - George Charles Lampitt - tax avoidance - Cayman - 5 mil
3 URL Link:	http://www.wikileaks.org/wiki/BJB - Mr. Lewis - George Charles Lampitt - tax avoidance - Cayman - 5 mil
4 File Name:	bjb-lewis2.zip
5 Wikileaks File Identity No:	SHA256 ccc8dc8fd8e24721470f28b3f25f89a69bbf85999dff354cabeb87571bfe5d4e3
6 Wikileaks Release Date:	2008-01-17

8 5.)

9 Document title:	BJB - Mr. Lewis - George Charles Lampitt - confusion of beneficiary
10 URL Link:	http://www.wikileaks.org/wiki/BJB - Mr. Lewis - George Charles Lampitt - confusion of beneficiary
11 File Name:	bjb-lewis1.zip
12 Wikileaks File Identity No:	SHA256 e41b7eada762d35555b0493e1fe36235cf3f97d06382479d233140e212f0570c
13 Wikileaks Release Date:	2008-01-17

16 6.)

17 Document title:	BJB - Heinri Steinberger, Frankfurt Steuerbetrug EUR 15 mil
18 URL Link:	http://www.wikileaks.org/wiki/BJB - Heinri Steinberger, Frankfurt Steuerbetrug EUR 15 mil
19 File Name:	bjb-heinri-steinberger.zip
20 Wikileaks File Identity No:	SHA256 51dbed21a2072f3e68c6093c2e08a7e506d0136fba82209eb230dabe32bc51e0
21 Wikileaks Release Date:	2008-01-13

24 7.)

25 Document title:	BJB - Vigier Fintex - tax evasion Cayman
26 URL Link:	http://www.wikileaks.org/wiki/BJB - Vigier Fintex - tax evasion Cayman
27 File Name:	schwarze-kasse.zip

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1	Wikileaks File Identity No:	SHA256 2409a1953291e9eeec33af0cc949688bf44b3007e2ee77e4ab13496b3b6fb565
2		
3	Wikileaks Release Date:	2008-01-09
4		

8.)

5	Document title:	BJB - JK Peng - Dragon Trust - Cayman hidden money
6	URL Link:	http://www.wikileaks.org/wiki/BJB - JK Peng - Dragon Trust - Cayman_hidden_money
7		
8	File Name:	jk-peng.zip
9	Wikileaks File Identity No:	SHA256 f571984e852292cd3cdf4eba2c0a8e4684045440a28fd6dfd700a20f6f4e9b9
10		
11	Wikileaks Release Date:	2008-01-09

9.)

12	Document title:	BJB - Swisspartner Offshore Tax Scheme - USD 150 mil
13		
14	URL Link:	http://www.wikileaks.org/wiki/BJB - Swisspartner Offshore Tax Scheme - USD 150 mil
15	File Name:	bjb-swisspartner-tax-scheme.xls
16	Wikileaks File Identity No:	SHA256 c678a68c006f27651c363ae55c133cfcd3127f99bcea12a4212a63178719df41
17		
18	Wikileaks Release Date:	2008-01-13

10.)

19	Document title:	BJB - Greek shipowners Anna Kanellakis Alpha Tankers - USD 30 mil per year
20		
21	URL Link:	http://www.wikileaks.org/wiki/BJB - Greek shipowners Anna Kanellakis Alpha Tankers - USD 30 mil per year
22		
23	File Name:	bjb-alpha-tankers.zip
24	Wikileaks File Identity No:	SHA256 375ebe8f8249c23a32290c6a424680df39f677707d5a449927f15f5a34c6408c
25		
26	Wikileaks Release Date:	2008-01-13

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1 11.)

2 Document title:	BJB_-_Steuerbetrug_Juergen_Grossmann_Architekt_-_EUR_25_mil
3 URL Link:	http://www.wikileaks.org/wiki/BJB_-_Steuerbetrug_Juergen_Grossmann_Architekt_-_EUR_25_mil
4 File Name:	bjb-juergen-grossmann.zip
5 Wikileaks File Identity No:	SHA256 bee41d33756939188dfccbf5eb824b218225f55ebf91067150d4362b5f306dc
7 Wikileaks Release Date:	2008-01-13

8 12.)

9 Document title:	BJB_-_Winston_Layne,_New_York_-_USD_10_mil_tax_fraud
10 URL Link:	http://www.wikileaks.org/wiki/BJB_-_Winston_Layne,_New_York_-_USD_10_mil_tax_fraud
11 File Name:	bjb-winston-layne.zip
12 Wikileaks File Identity No:	SHA256 bac726339b1423535ac0bb6336312669d139230e3b089e3533204fc185e77855
14 Wikileaks Release Date:	2008-01-13

16 13.)

17 Document title:	BJB_-_Lord_L._Kadoorie_-_China_Light_and_Power
18 URL Link:	http://www.wikileaks.org/wiki/BJB_-_Lord_L._Kadoorie_-_China_Light_and_Power
19 File Name:	bjb-lord-kadoorie.zip
20 Wikileaks File Identity No:	SHA256 59cc8c9575a07e1928bc4117059d6e74be404c75b666c9dbbdf2c094e45f1c69
22 Wikileaks Release Date:	2008-01-13

23 14.)

24 Document title:	Julius_Baer_to_Angela_Merkel Description: <u>Forged</u> Letter to Angela Merkel from Bank Julius Baer, dated 12 Sept 2007
26 URL Link:	http://www.wikileaks.org/wiki/Julius_Baer_to_Angela_Merkel
27 File Name:	angela-merkel.pdf

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Wikileaks File Identity No:	SHA256 5f201de05f3d8eb32c0a961402be4324b05cea803d58382c0ca814e85dec34ab
Wikileaks Release Date:	2007-11-26

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