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

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1 control and/or which they can post or edit any content;

2 (b) RESTRAINED and ENJOINED from any further use, display,
3 post, publication, distribution, linking to and/or otherwise providing any information
4 for the access or other dissemination of copies of and/or images of the JB Property
5 and any information or data contained therein, including on the website operated at
6 wikileaks.org and any other websites under their ownership, control and/or which
7 they can post or edit any content;

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11 additional yet unpublished documents and data that constitute or could reasonably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

14 (d) ORDERED to immediately remove from their wikileaks.org
15 website, and any other websites owned or operated by Defendants or within their
16 control, any and all copies of and/or images of the JB Property and any information
17 or data contained therein;

18 (e) ORDERED to immediately give notice of this Order to all of their
19 DNS hosting services, ISP's, domain registrars, website site developers, website
20 operators and website host service providers, and anyone else responsible or with
21 access to modify the website, and that they are to cease and desist from any further
22 use, display, posting, publication, distribution, linking to and/or other dissemination
23 of copies of and/or images of the JB Property and any information contained therein
24 pending further order of this Court;

25 (f) ORDERED that Defendant DYNADOT, LLC is to immediately
26 clear and remove all DNS hosting records for the domain name wikileaks.org and
27 prevent the domain name from resolving to the wikileaks.org website, or any other
28 website or server, until proof is submitted to the Court by Defendants, under penalty

1 of perjury, that all JB Property has been removed from the website and any and all
2 links or information for access thereof;

3 (g) ORDERED that Defendant DYNADOT, LLC is further ordered
4 to lock the domain name wikileaks.org from transfer and lock and prevent any
5 administrative or other access to the domain name by any persons pending further
6 order of this Court;

7 (h) ORDERED that Defendant DYNADOT, LLC is further ordered
8 to remove the optional privacy who-is service from the wikileaks.org domain name,
9 preserve the true and correct who-is records and data for the registrant and
10 administrative contacts of the domain name, both current and any and all prior or
11 previously listed who-is records and data associated with the domain name
12 registration and account and payment thereon, and immediately provide Plaintiffs'
13 counsel with a copy of all such who-is records;

14 (i) ORDERED that Defendants are to immediately provide Plaintiffs'
15 counsel with the name, address, telephone number, and facsimile transmission
16 number for all of their DNS hosting services, ISP's, domain registrars, website site
17 developers, website operators and website host service providers, so Plaintiffs can
18 provide such persons/entities with notice of this Order at Plaintiffs' election.

19 2. "JB Property" Defined: JB Property includes any and all documents
20 and information originating from Bank Julius Baer & Co. Ltd's and Julius Baer Bank
21 and Trust Co. Ltd's banks and affiliated bank branches, which are internal non-
22 public company documents and/or which contains private client or customer bank
23 records and/or identifies client or customer names, data, account records and/or
24 bank account numbers, whether or not such documents and information are
25 authentic, semi-altered, semi-fraudulent or forged, and which appears to have
26 originated from or could reasonably be known to be or considered to constitute or
27 have originated from data and documents stolen or misappropriated from one or
28 more of Plaintiff's bank branches and/or computers. JB Property posted on or made

1 available through the wikileaks.org website that is subject to this Order and enjoined
2 from further use, display, post, publication, distribution, linking to and/or other
3 dissemination, is listed and set forth on the attached Exhibit "A".

4 3. Defendants are hereby ORDERED TO SHOW CAUSE and to appear
5 before this Court in Courtroom 2 (17th Floor), located at 450 Golden Gate Ave., San
6 Francisco, California 94102, at __:___.m., or as soon thereafter as this matter may
7 be heard on February __, 2008, then and there to show cause (the "OSC
8 Hearing"), if any, that Defendants, and each of them, and their respective officers,
9 directors, stockholders, owners, subsidiaries, agents, servants, employees and
10 attorneys and all those in active concert or participation with Defendants or them,
11 or each of them, while pending the determination of this action and further Order
12 of this Court, why a preliminary injunction should not issue continuing the above
13 Temporary Restraining Order.

14 **EFFECTIVE DATE/TIME**

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

18 **SERVICE OF PROCESS**

19 A copy of this Order shall be served upon the above-named Defendants via
20 e-mail (to Wikileaks and Wikileaks.org at < legal@wikileaks.org> and
21 < wikileaks@wikileaks.org> ; and to Dynadot at < info@dynadot.com>) or via
22 telecopier (to Wikileaks and Wikileaks.org at 866-904-4598; and to Dynadot at
23 415-869-2893) or via Federal Express or similar delivery service by not later than
24 __:___.m. on _____, 2008, and the Memorandum of Points and Authorities
25 and supporting documents filed concurrently herewith must be served on the above-
26 named Defendants via any of the same listed means by not later than
27 _____, 2008.

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1 Any Opposition papers shall be served and filed by __:00 __.m. on _____,
2 2008, and any Reply papers shall be filed and served via any of the same listed
3 means by __:00 __.m. on _____, 2008.

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5 **IT IS SO ORDERED.**

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7 Dated: _____, 2008

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9 HON. JEFFREY S. WHITE
10 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_avoidence_-_Cayman_-_5_mil
3 URL Link:	http://www.wikileaks.org/wiki/BJB_-_Mr._Lewis_-_George_Charles_Lampitt_-_tax_avoidence_-_Cayman_-_5_mil
4 File Name:	bjb-lewis2.zip
5 Wikileaks File Identity No:	SHA256 cccdc8fd8e24721470f28b3f25f89a69bbf85999dff354cabeb87571bfe5d4e3
7 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
12 File Name:	bjb-lewis1.zip
13 Wikileaks File Identity No:	SHA256 e41b7eada762d35555b0493e1fe36235cf3f97d06382479d233140e212f0570c
15 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
22 Wikileaks Release Date:	2008-01-13

23 7.)

24 Document title:	BJB_-_Vigier_Fintex_-_tax_evasion_Cayman
25 URL Link:	http://www.wikileaks.org/wiki/BJB_-_Vigier_Fintex_-_tax_evasion_Cayman
26 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 c678a68c006f27651c363ae55c133cfd3127f99bcea12a4212a63178719df41
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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