

Karl Olson (SBN 104760)
 Levy, Ram & Olson
 639 Front Street, Fourth Floor
 San Francisco, California 94111
 (415) 433-4949
 ko@lrolaw.com

Paul Alan Levy (DC Bar 946400) (*pro hac vice* motion filed)
 Deepak Gupta (DC Bar 495451)
 Public Citizen Litigation Group
 1600 20th Street, N.W.
 Washington, D.C. 20009
 (202) 588-1000
 plevy@citizen.org, dgupta@citizen.org

Peter Scheer (DC Bar 255950)
 California First Amendment Coalition
 534 4th Street #B
 San Rafael, CA 94901
 (415) 460-5060
 pscheer@cfac.org

Attorneys for Public Citizen and California First Amendment Coalition

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

BANK JULIUS BAER & CO. LTD, A Swiss) No. CV08-0824 JSW
 entity; and JULIUS BEAR BANK AND TRUST)
 CO., 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
 company, and DOES 1 through 10 inclusive,

Defendants.

**[PROPOSED] MOTION OF PUBLIC
 CITIZEN AND CALIFORNIA FIRST
 AMENDMENT COALITION TO DISMISS
 FOR LACK OF SUBJECT MATTER
 JURISDICTION UNDER RULE 12(b)(1)
 AND LIFT PERMANENT INJUNCTION**

DATE: February 29, 2008
 TIME: 9:00 a.m.
 PLACE: Courtroom 2
 JUDGE: Honorable Jeffrey S. White

NOTICE OF [PROPOSED] MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION UNDER RULE 12(B)(1)

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT, on February 29, 2008 at 9:00 a.m., or as soon thereafter as this matter may be heard by this Court, located at 450 Golden Gate Avenue, San Francisco, California, Public Citizen and the California First Amendment Coalition ("Public Citizen/CFAC Intervenors") will and do hereby move to dismiss this entire action for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) and to lift the permanent injunction issued in this action on February 15, 2008 (Docket No. 48). The reasons supporting this motion are presented in the Brief of Intervenors/*Amici Curiae* Public Citizen and California First Amendment Coalition in Opposition to Injunctive Relief and in Support of Dismissal for Lack of Subject Matter Jurisdiction, which is being filed concurrently with this proposed motion and which follows.

Dated: February 26, 2008

Respectfully submitted,

/s/ Paul Alan Levy

Paul Alan Levy (DC Bar 946400)
Deepak Gupta (DC Bar 495451)
Public Citizen Litigation Group
1600 20th Street, N.W.
Washington, D.C. 20009
(202) 588-1000
plevy@citizen.org

/s/ Peter Scheer

Peter Scheer ((DC Bar 255950)
California First Amendment Coalition
534 4th St. #B
San Rafael, California 94901
(415) 460-5060
pscheer@cfac.org

/s/ Karl Olson

Karl Olson (California Bar 104760)
Levy, Ram & Olson
639 Front Street, Fourth Floor
San Francisco, California 94111
(415) 433-4949
ko@lrolaw.com

Attorneys for Public Citizen and California
First Amendment Coalition