

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

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

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

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

**IT IS HEREBY ORDERED THAT:**

1. DEFENDANTS WIKILEAKS, WIKILEAKS.ORG, DYNADOT, LLC and DOES 1-10 (collectively, "Defendants"), and all of their officers, directors, stockholders, owners, agents, servants, employees, representatives and attorneys, and all those in active concert or participation with Defendants, or each of them, and all others who receive notice of this order, are, pending hearing on this Court's below-issued Order to Show Cause, hereby ordered, enjoined and restrained as follows:

(a) RESTRAINED and ENJOINED from displaying, posting, publishing, distributing, linking to and/or otherwise providing any information for the access or other dissemination of copies of and/or images of the JB Property (as defined herein below) and any information or data contained therein, including on the website operated at wikileaks.org and any other websites under their ownership,

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 (17<sup>th</sup> 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.

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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HON. JEFFREY S. WHITE  
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:                   | <a href="http://www.wikileaks.org/wiki/BJB_-Roberto_de_Andrade_-Gaynor_Jaguar_Angel_Yara_Trusts">http://www.wikileaks.org/wiki/BJB_-Roberto_de_Andrade_-Gaynor_Jaguar_Angel_Yara_Trusts</a> |
| File Name:                  | bjb-andrade.zip   |
| Wikileaks File Identity No: | SHA256<br>39010e85348a18b7cd091d3dc7b94ffdea076203a08df0d93822a486416b2e3e  |
| Wikileaks Release Date:     | 2008-01-18  |

2.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_-Luis_Nozaleda_-Blanca_R_avena_-Madrid_-USD_18_mil  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-Luis_Nozaleda_-Blanca_R_avena_-Madrid_-USD_18_mil">http://www.wikileaks.org/wiki/BJB_-Luis_Nozaleda_-Blanca_R_avena_-Madrid_-USD_18_mil</a> |
| File Name:                  | bjb-luis-avenvas.zip  |
| Wikileaks File Identity No: | SHA256<br>eac16b8eb17f21e6cfa496dff61aea1d11bd223739e6f093fb9411df4603cb51  |
| Wikileaks Release Date:     | 2008-01-18  |

3.)

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|-----------------------------|---|
| Document title:             | BJB_-Juan_Carlos_Cespedes_-SF_holdings_-11_mil  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-Juan_Carlos_Cespedes_-SF_holdings_-11_mil">http://www.wikileaks.org/wiki/BJB_-Juan_Carlos_Cespedes_-SF_holdings_-11_mil</a> |
| File Name:                  | bjb-peru.zip  |
| Wikileaks File Identity No: | SHA256<br>ffac47f723724cf36a1f8a015ea81648e70806225fce5af0c182fde6c3480a71  |
| Wikileaks Release Date:     | 2008-01-18  |

4.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_- _Mr._Lewis_- _George_Charles_Lampitt_- _tax_avoidance_- _Cayman_- _5_mil  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_- _Mr._Lewis_- _George_Charles_Lampitt_- _tax_avoidance_- _Cayman_- _5_mil">http://www.wikileaks.org/wiki/BJB_- _Mr._Lewis_- _George_Charles_Lampitt_- _tax_avoidance_- _Cayman_- _5_mil</a> |
| File Name:                  | bjb-lewis2.zip  |
| Wikileaks File Identity No: | SHA256<br>cccdc8fd8e24721470f28b3f25f89a69bbf85999dff354cabeb87571bfe5d4e3  |
| Wikileaks Release Date:     | 2008-01-17  |

5.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_- _Mr._Lewis_- _George_Charles_Lampitt_- _confusion_of_beneficiary  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_- _Mr._Lewis_- _George_Charles_Lampitt_- _confusion_of_beneficiary">http://www.wikileaks.org/wiki/BJB_- _Mr._Lewis_- _George_Charles_Lampitt_- _confusion_of_beneficiary</a> |
| File Name:                  | bjb-lewis1.zip  |
| Wikileaks File Identity No: | SHA256<br>e41b7eada762d35555b0493e1fe36235cf3f97d06382479d233140e212f0570c  |
| Wikileaks Release Date:     | 2008-01-17  |

6.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_- _Heinri_Steinberger,_Frankfurt_Steuerbetrug_EUR_15_mil  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_- _Heinri_Steinberger,_Frankfurt_Steuerbetrug_EUR_15_mil">http://www.wikileaks.org/wiki/BJB_- _Heinri_Steinberger,_Frankfurt_Steuerbetrug_EUR_15_mil</a> |
| File Name:                  | bjb-heinri-steinberger.zip  |
| Wikileaks File Identity No: | SHA256<br>51dbed21a2072f3e68c6093c2e08a7e506d0136fba82209eb230dabe32bc51e0  |
| Wikileaks Release Date:     | 2008-01-13  |

7.)

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|-----------------|---|
| Document title: | BJB_- _Vigier_Fintex_- _tax_evasion_Cayman  |
| URL Link:       | <a href="http://www.wikileaks.org/wiki/BJB_- _Vigier_Fintex_- _tax_evasion_Cayman">http://www.wikileaks.org/wiki/BJB_- _Vigier_Fintex_- _tax_evasion_Cayman</a> |
| File Name:      | schwarze-kasse.zip  |



|                             |  |
|-----------------------------|--|
| Wikileaks File Identity No: | SHA256<br>2409a1953291e9eeec33af0cc949688bf44b3007e2ee77e4ab13496b3b6fb565 |
| Wikileaks Release Date:     | 2008-01-09   |

8.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_-_JK_Peng_-_Dragon_Trust_-_Cayman_hidden_money  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-_JK_Peng_-_Dragon_Trust_-_Cayman_hidden_money">http://www.wikileaks.org/wiki/BJB_-_JK_Peng_-_Dragon_Trust_-_Cayman_hidden_money</a> |
| File Name:                  | jk-peng.zip   |
| Wikileaks File Identity No: | SHA256<br>f571984e852292cd3cdff4eba2c0a8e4684045440a28fd6dfd700a20f6f4e9b9  |
| Wikileaks Release Date:     | 2008-01-09  |

9.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_-_Swisspartner_Offshore_Tax_Scheme_-_USD_150_mil  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-_Swisspartner_Offshore_Tax_Scheme_-_USD_150_mil">http://www.wikileaks.org/wiki/BJB_-_Swisspartner_Offshore_Tax_Scheme_-_USD_150_mil</a> |
| File Name:                  | bjb-swisspartner-tax-scheme.xls   |
| Wikileaks File Identity No: | SHA256<br>c678a68c006f27651c363ae55c133cfcd3127f99bcea12a4212a63178719df41  |
| Wikileaks Release Date:     | 2008-01-13  |

10.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_-_Greek_shipowners_Anna_Kanellakis_Alpha_Tankers_-_USD_30_mil_per_year  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-_Greek_shipowners_Anna_Kanellakis_Alpha_Tankers_-_USD_30_mil_per_year">http://www.wikileaks.org/wiki/BJB_-_Greek_shipowners_Anna_Kanellakis_Alpha_Tankers_-_USD_30_mil_per_year</a> |
| File Name:                  | bjb-alpha-tankers.zip   |
| Wikileaks File Identity No: | SHA256<br>375ebe8f8249c23a32290c6a424680df39f677707d5a449927f15f5a34c6408c  |
| Wikileaks Release Date:     | 2008-01-13  |

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11.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_-_Steuerbetrug_Juergen_Grossmann_Architekt_-_EUR_25_mil   |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-_Steuerbetrug_Juergen_Grossmann_Architekt_-_EUR_25_mil">http://www.wikileaks.org/wiki/BJB_-_Steuerbetrug_Juergen_Grossmann_Architekt_-_EUR_25_mil</a> |
| File Name:                  | bjb-juergen-grossmann.zip   |
| Wikileaks File Identity No: | SHA256<br>bee41d33756939188dfccba5eb824b218225f55ebf91067150d4362b5f306dc   |
| Wikileaks Release Date:     | 2008-01-13  |

12.)

|                             |   |
|-----------------------------|---|
| Document title:             | BJB_-_Winston_Layne,_New_York_-_USD_10_mil_tax_fraud  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-_Winston_Layne,_New_York_-_USD_10_mil_tax_fraud">http://www.wikileaks.org/wiki/BJB_-_Winston_Layne,_New_York_-_USD_10_mil_tax_fraud</a> |
| File Name:                  | bjb-winston-layne.zip   |
| Wikileaks File Identity No: | SHA256<br>bac726339b1423535ac0bb6336312669d139230e3b089e3533204fc185e77855  |
| Wikileaks Release Date:     | 2008-01-13  |

13.)

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|-----------------------------|---|
| Document title:             | BJB_-_Lord_L._Kadoorie_-_China_Light_and_Power  |
| URL Link:                   | <a href="http://www.wikileaks.org/wiki/BJB_-_Lord_L._Kadoorie_-_China_Light_and_Power">http://www.wikileaks.org/wiki/BJB_-_Lord_L._Kadoorie_-_China_Light_and_Power</a> |
| File Name:                  | bjb-lord-kadoorie.zip   |
| Wikileaks File Identity No: | SHA256<br>59cc8c9575a07e1928bc4117059d6e74be404c75b666c9dbbdf2c094e45f1c69  |
| Wikileaks Release Date:     | 2008-01-13  |

14.)

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

|                  |  |
|------------------|--|
| 1 Wikileaks File | SHA256   |
| 2 Identity No:   | 5f201de05f3d8eb32c0a961402be4324b05cea803d58382c0ca814e85dee34 |
| 3 Wikileaks      |  |
| 4 Release Date:  | 2007-11-26   |

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