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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
15

16 BANK JULIUS BAER & CO., LTD., a
17 Swiss entity, and JULIUS BAER BANK
AND TRUST CO., a Cayman Islands
18 entity,,

19 Plaintiffs,

20 v.

21 WIKILEAKS, WIKILEAKS.ORG, and
DYNADOT, LLC, a California limited
22 liability company,,

23 Defendants.

Case No. CV-08-0824 JSW

The Hon. Jeffrey S. White

Date: Feb. 29, 2009

Time: 9:00 AM

Ctrm.: 2

[Complaint Filed: Feb. 6, 2008]

24
25 NOTICE OF INTENT TO APPEAR
26 AND JOINDER IN MOTIONS AND OPPOSITIONS OF
27 AMICI/INTERVENORS
28

1 TO THE PARTIES, POTENTIAL INTERVENORS AND AMICI, AND TO THEIR
2 COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that John Shipton, a citizen of Australia currently
4 residing in Kenya, will appear in this action to assert his interests as the owner and
5 registrant of the Internet domain "wikileaks.org." Mr. Shipton will and hereby does
6 reserve all defenses and objections to the claims asserted by Plaintiffs in this action. In
7 particular, Mr. Shipton reserves and does not waive his defenses and objections to the
8 Court's jurisdiction over the subject matter of this action or the Court's personal
9 jurisdiction over him.

10 PLEASE ALSO TAKE NOTICE that Mr. Shipton will and hereby does join
11 in the motions and briefs of the potential intervenors and amici: Public Citizen and the
12 California First Amendment Coalition; Project on Government Oversight, American Civil
13 Liberties Union, Electronic Frontier Foundation, and Jordan McCorkle; and The
14 Reporter's Committee for Freedom of the Press, *et al.* Federal courts have recognized the
15 right to join in motions filed by other parties, particularly in motions asserting First
16 Amendment rights. *See, e.g., Seattle Times Company v. United States Dist. Court*, 845
17 F.2d 1513, 1514 (9th Cir. 1988) (Hearst Corporation and Tacoma News, Inc. joined in The
18 Seattle Times' motion asserting First Amendment right of access to court records, and the
19 Ninth Circuit recognized their standing to seek review of orders denying them access to
20 judicial proceedings or documents); *Willis v. Pacific Maritime Ass'n*, 1997 WL 488581, at
21 p. *2 (N.D. Cal. 1997) ("It is a common occurrence for parties to join in the motions of
22 other parties on the same side in a case. Parties join in motions in both civil and criminal
23 cases before this court. While no local or federal rule specifically provides for this
24 practice, no obvious reason exists for prohibiting it. If the grounds stated in the motion are
25 applicable to the joining party as well as the moving party, it would be wasteful for them to
26 file separate motions.") Mr. Shipton will and hereby does join their oppositions to the
27 temporary restraining order and permanent injunction previously issued, their oppositions
28 to the requested preliminary injunction, and their request to dismiss this action.

1 Mr. Shipton respectfully requests that the Court grant the applications and
2 motions of the potential intervenors and amici, vacate the injunctions previously entered,
3 and dismiss the action in its entirety. Should the matter not be dismissed in its entirety and
4 both the temporary restraining order and permanent injunction vacated, this Court should
5 not grant Plaintiffs' request to dismiss co-defendant Dynadot, LLC until all issues relating
6 to the injunctive relief affecting the domain name "wikileaks.org" are resolved.

7 Dated: February 27, 2008

8 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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