

1 **MARTIN D. SINGER, ESQ. (BAR NO. 78166)**
 2 **WILLIAM J. BRIGGS, II, ESQ. (BAR NO. 144717)**
 3 **EVAN N. SPIEGEL, ESQ. (BAR NO. 198071)**
 4 **LAVELY & SINGER PROFESSIONAL CORPORATION**
 5 2049 Century Park East, Suite 2400
 6 Los Angeles, California 90067-2906
 7 Telephone: (310) 556-3501
 8 Facsimile: (310) 556-3615
 9 E-mail: wbriggs@lavelysinger.com
 10 E-mail: espiegel@lavelysinger.com

11 Attorneys for Plaintiffs
 12 **BANK JULIUS BAER & CO. LTD and**
 13 **JULIUS BAER BANK AND TRUST CO. LTD**

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

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

21 Plaintiffs,

22 v.

23 **WIKILEAKS, an entity of unknown**
 24 **form, WIKILEAKS.ORG, an entity**
 25 **of unknown form; DYNADOT,**
 26 **LLC, a California limited liability**
 27 **corporation, and DOES 1 through**
 28 **10, inclusive,**

Defendants.

CASE NO. CV08-0824 JSW
[Hon. Jeffrey S. White; CRTM 2]

AMENDED PROOF OF SERVICE

DATE: Submission
 TIME: Submission
 CTRM: 2, 17th FL

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PROOF OF SERVICE
FRCP 5

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 2049 Century Park East, Suite 2400, Los Angeles, California 90067-2906.

On the date listed below, I served the foregoing document described as:

- (1) Summons
- (2) Complaint
- (3) USDC ND ECF Handout
- (4) Notice to Interested Parties
- (5) Ex Parte Application for TRO and OSC re Preliminary Injunction;
- (6) Memorandum of Points & Authorities in Support of Application for TRO and OSC re Preliminary Injunction; Declarations In Support Thereof
- (7) Plaintiffs' Request for Judicial Notice Pursuant to FRCP Rule 44.1 Re: (1) Cayman Islands' Law; and (2) Swiss Law
- (8) [Proposed] TRO and OSC re Preliminary Injunction];
- (9) [Proposed] Order Granting Preliminary Injunction
- (10) Proof of Service ("POS") for personal service of OSC to Wikileaks
- (11) Proof of Service ("POS") for personal service of OSC to Wikileaks.ORG
- (12) Proof of Service ("POS") for personal service of OSC to Dynadot
- (13) Proof of Service ("POS") for personal service of Summons & Complaint to Wikileaks
- (14) Proof of Service ("POS") for personal service of Summons & Complaint to Wikileaks.ORG
- (15) Proof of Service ("POS") for personal service of Summons & Complaint to Dynadot
- (16) Administrative Motion to Seal
- (17) Notice of Lodgment of Evidence under Seal Pursuant to L.R. 79-5 in Support Plaintiffs' Ex Parte Application for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction [Pursuant to Civil L.R. 79-5]
- (18) [Proposed] Order to Seal Selected Exhibits; Request for Judicial Notice;
- (19) Ex Parte Motion Re Defendants Deemed Served or for Alternative Service

- 1 (20) Declaration of Spiegel Re Ex Parte Motion Re Defendants Deemed Served
or For Alternative Service
- 2
- 3 (21) [Proposed] Order Re Service
- 4 (22) Proof of Service Re Ex Parte Motion Re Defendants Deemed Served or For
Alternative Service
- 5 (23) Notice of Non-opposition By Defendants
- 6 (24) Declaration of Spiegel re Notice of Non-opposition by Defendants
- 7 (25) Proof of Service re Notice of Non-opposition by Defendants
- 8 (26) Tentative Ruling and Questions
- 9 (27) Order Granting *Ex Parte* Application for Order Re Service

10 on the interested parties in this action by placing:

11 a true and correct copy -OR- the original document
thereof enclosed in sealed envelopes addressed as follows:

12 See attached "Service List"

13

14 **BY FACSIMILE:** I served the foregoing document described by
15 facsimile machine located at telephone number 310-556-3615, pursuant to
16 California Rules of Court Rules 2008 and 2009, to the interested parties in
17 this action: The facsimile machine I used complied with California Rules
of Court Rule 2003(3). The transmission was complete and no error was
reported by the machine. **I caused the machine to print a transmission
record of the transmission, a copy of which is attached to this
Declaration.**

18 **BY EMAIL**
19

20 As follows: I am "readily familiar" with the firm's practice of
sending email communications. Under that practice an email
addressed to the party above was sent from Los Angeles,
California in the ordinary course of business.

21 I declare that I am duly employed in the office of a member of the bar of
22 this Court at whose direction the service was made. Executed **February 13,
2008**, at Los Angeles, California.

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/s/

EVAN N. SPIEGEL

I hereby attest that I have on file all holographic signatures for any
signatures indicated by a conformed signature (/s/) within this efiled document.

/s/

WILLIAM J. BRIGGS, II

SERVICE LIST
CV08-0824 JSW

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Daniel Mathews - mathews@math.Stanford.EDU
Julie Turner - jturner@julieturnerlaw.com
Julie Turner - juliewl@wikileaks.org
Garret D. Murai - gmurai@wendel.com
Wikileaks - legal@wikileaks.org
Wikileaks - wikileaks@wikileaks.org

Evan Spiegel

From: Evan Spiegel
Sent: Wednesday, February 13, 2008 2:23 PM
To: 'Wikileaks'; 'Julie Turner WL'; 'Julie Turner'; 'Garret D. Murai'; 'Daniel Mathews - WL Officer'; Wikileaks
Cc: William J. Briggs II
Subject: CV08-0824 JSW: Bank Julius Baer v. Wikileaks - 1

Attachments: ORDER re E-MAIL SERVICE.pdf; Summons BJB-Wikileaks 20080206.pdf; Complaint BJB-Wikileaks 20080206 conformed.pdf; USDC-ND ECF HANDOUT.pdf; NTC-Interested-Parties BJB-Wikileaks 20080206.pdf; Order Setting CMC.pdf; JUDGE STANDING ORDER.pdf; CMC SCHEDULING ORDER.pdf; ORDER re TENATIVE & TRO HEARING.pdf; ORDER RE OSC RE TRO.pdf

Pursuant to Court Order, dated February 13, 2008, attached to this e-mail, defendants WIKILEAKS and WIKILEAKS.ORG are hereby deemed served via e-mail with the following attached pleadings in the matter of Bank Julius Baer v. Wikileaks, et. al., USDC ND Case No. CV08-0824:



ORDER re
AIL SERVICE.pdf

Accordingly, attached please find pdf copies of the following documents filed/lodged with the court in Case No CV08-0824 JSW, Bank Julius Baer v. Wikileaks:

1) Summons



Summons
Wikileaks 200802

2) Complaint



Complaint
-Wikileaks 20080

3) USDC ND ECF Handout



USDC-ND ECF
HANDOUT.pdf (98 K)

4) Notice to Interested Parties



NTC-Interested-
Parties BJB-Wik...

5) Order setting CMC



Order Setting
CMC.pdf (26 KB)

6) Judge White's Standing Orders



JUDGE
ING ORDER.pdf (

7) CMC Ruling Order



CMC
LING ORDER.pdf

8) Order re Tentative & TRO Hearing



ORDER re
TIVE & TRO HEA

9) OSC re Issuance of TRO and Briefing



ORDER RE OSC
TRO.pdf (63 KB)

EVAN N. SPIEGEL, ESQ.
LAVELY & SINGER PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

2049 CENTURY PARK EAST, SUITE 2400
LOS ANGELES, CALIFORNIA 90067-2906
TELEPHONE: (310) 556-3501
FACSIMILE: (310) 556-3615
www.LavellySinger.com
E-MAIL: espiegel@lavellysinger.com

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Evan Spiegel

From: Evan Spiegel
Sent: Wednesday, February 13, 2008 2:23 PM
To: 'Wikileaks'; 'Julie Turner WL'; 'Julie Turner'; 'Garret D. Murai'; 'Daniel Mathews - WL Officer'; Wikileaks
Cc: William J. Briggs II
Subject: CV08-0824 JSW: Bank Julius Baer v. Wikileaks - 2

Attachments: ORDER re E-MAIL SERVICE.pdf; Appl-TRO-OSC-INJ BJB-Wikileaks 20080207.pdf; APPL-P&A TRO-INJ BJB-Wikileaks 020808.pdf; Req-Judical-NTC BJB-Wikileaks 20080207.pdf; Prop-TRO BJB-Wikileaks 20080207.pdf; Prop-Order-Prelim-Inj BJB-Wikileaks 20080207.pdf

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ORDER re
AIL SERVICE.pdf

Accordingly, attached please find pdf copies of the following documents filed/lodged with the court in Case No CV08-0824 JSW, Bank Julius Baer v. Wikileaks:

- (1) Ex Parte Application for TRO and OSC re Preliminary Injunction;



Appl-TRO-OSC-I
IJ BJB-Wikileaks..

- (2) Memorandum of Points & Authorities in Support of Application for TRO and OSC re Preliminary Injunction; Declarations In Support Thereof



APPL-P&A
-INJ BJB-Wikileal

- (3) Plaintiffs' Request for Judicial Notice Pursuant to FRCP Rule 44.1 Re: (1) Cayman Islands' Law; and (2) Swiss Law



Req-Judical-NTC
BJB-Wikileaks ...

- (4) [Proposed] TRO and OSC re Preliminary Injunction]; and



Prop-TRO
Wikileaks 20080:

(5) [Proposed] Order Granting Preliminary Injunction



Prop-Order-Preliminary
Injunction BJB-Wiki...

EVAN N. SPIEGEL, ESQ.
LAVELY & SINGER PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

2049 CENTURY PARK EAST, SUITE 2400
LOS ANGELES, CALIFORNIA 90067-2906
TELEPHONE: (310) 556-3501
FACSIMILE: (310) 556-3615
www.LavelySinger.com
E-MAIL: espiegel@lavelysinger.com

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Evan Spiegel

From: Evan Spiegel
Sent: Wednesday, February 13, 2008 2:24 PM
To: 'Wikileaks'; 'Julie Turner WL'; 'Julie Turner'; 'Garret D. Murai'; 'Daniel Mathews - WL Officer'; Wikileaks
Cc: William J. Briggs II
Subject: CV08-0824 JSW: Bank Julius Baer v. Wikileaks - 3

Attachments: ORDER re E-MAIL SERVICE.pdf; POS-OSC Wikileaks.pdf; POS-OSC Wikileaks-ORG.pdf; POS-OSC Dynadot.pdf; POS-S&C Wikileaks.pdf; POS-S&C Wikileaks-ORG.pdf; POS-S&C Dynadot.pdf

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ORDER re
MAIL SERVICE.pdf

Accordingly, attached please find pdf copies of the following documents filed with the court in Case No CV08-0824 JSW, Bank Julius Baer v. Wikileaks:

1) Proof of Service ("POS") for personal service of OSC to Wikileaks



POS-OSC
Wikileaks.pdf (18 K)

2) Proof of Service ("POS") for personal service of OSC to Wikileaks.ORG



POS-OSC
Wikileaks-ORG.pdf (1

3) Proof of Service ("POS") for personal service of OSC to Dynadot



POS-OSC
Dynadot.pdf (38 Ki

4) Proof of Service ("POS") for personal service of Summons & Complaint to Wikileaks



POS-S&C
Wikileaks.pdf (46 K

5) Proof of Service ("POS") for personal service of Summons & Complaint to Wikileaks.ORG



POS-S&C
leaks-ORG.pdf (4

6) Proof of Service (“POS”) for personal service of Summons & Complaint to Dynadot



POS-S&C
ynadot.pdf (46 Ki

EVAN N. SPIEGEL, ESQ.
LAVELY & SINGER PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
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Evan Spiegel

From: Evan Spiegel
Sent: Wednesday, February 13, 2008 2:25 PM
To: 'Wikileaks'; 'Julie Turner WL'; 'Julie Turner'; 'Garret D. Murai'; 'Daniel Mathews - WL Officer'; Wikileaks
Cc: William J. Briggs II
Subject: CV08-0824 JSW: Bank Julius Baer v. Wikileaks - 4

Attachments: ORDER re E-MAIL SERVICE.pdf; Admin-Mtn-Seal-Exh BJB-Wikileaks 20080207.pdf; NTC-Lodg-Evid-Seal BJB-Wikileaks 20080207.pdf; Prop-Order-Seal-Exh BJB-Wikileaks 20080207.pdf

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ORDER re
MAIL SERVICE.pdf

Accordingly, attached please find pdf copies of the following documents filed/lodged with the court in Case No CV08-0824 JSW, Bank Julius Baer v. Wikileaks:

1) Administrative Motion to Seal



Admin-Mtn-Seal
Exh BJB-Wikilea..

2) Notice of Lodgment of Evidence under Seal Pursuant to L.R. 79-5 in Support Plaintiffs' *Ex Parte* Application for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction [Pursuant to Civil L.R. 79-5]



NTC-Lodg-Evid-
eal BJB-Wikilea..

3) [Proposed] Order to Seal Selected Exhibits; Request for Judicial Notice;



Prop-Order-Seal
-Exh BJB-Wikile...

EVAN N. SPIEGEL, ESQ.
LAVELY & SINGER PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2049 CENTURY PARK EAST, SUITE 2400

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Cc: William J. Briggs II
Subject: CV08-0824 JSW: Bank Julius Baer v. Wikileaks - 5

Attachments: ORDER re E-MAIL SERVICE.pdf; EX-PARTE-MTN-SERVICE-ALTERNATIVE-SERVICE 021108.pdf; DECL-SPIEGEL 013108 re Ex Parte re Service.pdf; EXHS TO SPIEGEL DECL re SERVICE.pdf; PROP-ORD-ALT-SERVICE.pdf; POS 021208 re Ex Parte App Service.pdf; NTC-NON-OPP-TRO 021208.pdf; DECL-SPIEGEL 021308 re NTC-NON-OPPOSITION RE TRO.pdf; POS 021208 re NTC-NON-OPPOSITION RE TRO.pdf

Pursuant to Court Order, dated February 13, 2008, attached to this e-mail, defendants WIKILEAKS and WIKILEAKS.ORG are hereby deemed served via e-mail with the following attached pleadings in the matter of Bank Julius Baer v. Wikileaks, et. al., USDC ND Case No. CV08-0824:



ORDER re
MAIL SERVICE.pdf

Accordingly, attached please find pdf copies of the following pleadings and supporting documents filed with the court via ecf on February 13, 2008 in Case No CV08-0824 JSW, Bank Julius Baer v. Wikileaks:

1) EX PARTE MOTION RE DEFENDANTS DEEMEND SERVED OR FOR ALTERNATIVE SERVICE



EX-PARTE-MTN-
SERVICE-ALTERNAT

2) DECL OF SPIEGEL RE EX PARTE MOTION RE DEFENDANTS DEEMEND SERVED OR FOR ALTERNATIVE SERVICE



DECL-SPIEGEL
13108 re Ex Part.



EXHS TO
DECL re SER'

3) [PROPOSED] ORDER RE SERVICE



PROP-ORD-ALT-
SERVICE.pdf (17 K

4) PROOF OF SERVICE RE EX PARTE MOTION RE DEFENDANTS DEEMEND SERVED OR FOR ALTERNATIVE SERVICE



POS 021208 re
Ex Parte App Ser..

5) NTC OF NON-OPPOSITION BY DEFENDANTS



NTC-NON-OPP-T
) 021208.pdf (17

6) DECL OF SPIEGEL RE NTC OF NON-OPPOSITION BY DEFENDANTS



DECL-SPIEGEL
1308 re NTC-NON

7) PROOF OF SERVICE RE NTC OF NON-OPPOSITION BY DEFENDANTS



POS 021208 re
C-NON-OPPOSIT.

EVAN N. SPIEGEL, ESQ.
LAVELY & SINGER PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2049 CENTURY PARK EAST, SUITE 2400
LOS ANGELES, CALIFORNIA 90067-2906
TELEPHONE: (310) 556-3501
FACSIMILE: (310) 556-3615
www.LavelySinger.com
E-MAIL: espiegel@lavelysinger.com

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Tiffany Vogt

From: Tiffany Vogt on behalf of William J. Briggs II
Sent: Wednesday, February 13, 2008 3:00 PM
To: 'jswPDF@cand.uscourts.gov'
Subject: CV08-0824 JSW: PO re Bank Julius Baer v. Wikileaks - Proof of Service

Attachments: POS 021308.pdf



POS
1308.pdf (374 K)