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15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

19 BANK JULIUS BAER & CO., LTD, a Swiss  
 entity; and JULIUS BAER BANK & TRUST  
 20 CO. LTD., a Cayman Island entity,

21 Plaintiffs,

22 v.

23 WIKILEAKS, an entity of unknown form;  
 WIKILEAKS.ORG, an entity of unknown form;  
 24 DYNADOT. LLC, a California limited liability  
 company; and DOES 1 through 10, inclusive,

25 Defendants.  
 26

No. CV-08-0824 JSW

Action Filed: February 6, 2008

APPLICATION TO APPEAR AS  
 PROSPECTIVE INTERVENORS OR, IN  
 27 THE ALTERNATIVE, *AMICI CURIAE*

Date: Feb. 29, 2008  
 Time: 9:00 a.m.  
 Place: Courtroom 2  
 Judge: Honorable Jeffrey S. White

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1 The Project on Government Oversight, the American Civil Liberties Union, the American  
2 Civil Liberties Union Foundation, the Electronic Frontier Foundation And Jordan McCorkle  
3 (“Applicants”) respectfully request the Court for leave to appear as prospective intervenors or, in the  
4 alternative, *amici curiae* at the hearing in the matter scheduled for February 29, 2008.

5 Applicants will separately be filing a motion to intervene in this action, as well as a motion to  
6 shorten time for the briefing and hearing on that motion, later today. The motion to intervene will  
7 be made on the ground that the permanent injunction shutting down the “wikileaks.org” domain  
8 name violates Applicants’ First Amendment rights to access information on the Wikileaks website  
9 that is not related to the subject of this litigation and that Plaintiffs do *not* claim as their property.  
10 The grounds for this motion will be more fully set forth in the Memorandum that Applicants will file  
11 today in support of the motion.

12 Applicants’ motion to intervene will not have been adjudicated by February 29, when the  
13 Court is scheduled to hold a hearing in this matter. Accordingly, Applicants respectfully request the  
14 Court for leave to appear as prospective intervenors or, in the alternative, *amici curiae* at the  
15 hearing, in order to argue that the continued imposition of the permanent injunction violates their  
16 First Amendment rights to access the Wikileaks website.

17 Applicants’ counsel has given notice of this Application to counsel for Plaintiffs, who  
18 declined to consent, and to counsel for Dynadot, who does not oppose it.

HOWARD  
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1 DATED: February 26 2008.

Respectfully,

2 STEVEN L. MAYER  
3 CHRISTOPHER KAO  
4 SHAUDY DANAYE-ELMI  
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18 By:   
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