

1 STEVEN L. MAYER (No. 62030)  
Email: smayer@howardrice.com  
2 CHRISTOPHER KAO (No. 237716)  
Email: ckao@howardrice.com  
3 SHAUDY DANAYE-ELMI (No. 242083)  
Email: sdanaye-elmi@howardrice.com  
4 HOWARD RICE NEMEROVSKI CANADY  
FALK & RABKIN  
5 A Professional Corporation  
Three Embarcadero Center, 7th Floor  
6 San Francisco, California 94111-4024  
Telephone: 415/434-1600  
7 Facsimile: 415/217-5910

8 ANN BRICK (No. 65296)  
AMERICAN CIVIL LIBERTIES UNION  
9 FOUNDATION OF NORTHERN  
CALIFORNIA, INC.  
10 Email: abrick@aclunc.org  
39 Drumm Street  
11 San Francisco, California 94111  
Telephone: 415/621-2493  
12 Facsimile: 415/255-8437

13 Attorneys for PROSPECTIVE INTERVENORS  
PROJECT ON GOVERNMENT OVERSIGHT,  
14 *et al.*

HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
A Professional Corporation

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

26 Defendants.

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

1 ADEN J. FINE (No. 186728)  
Email: [afine@aclu.org](mailto:afine@aclu.org)  
2 AMERICAN CIVIL LIBERTIES UNION  
125 Broad Street—18th floor  
3 New York, NY 10004  
Telephone: (212) 549-2693  
4 Fax: (212) 549-2651

CINDY A. COHN (No. 145997)  
Email: [cindy@eff.org](mailto:cindy@eff.org)  
KURT OPSAHL (No. 191303)  
Email: [kurt@eff.org](mailto:kurt@eff.org)  
MATTHEW J. ZIMMERMAN (No. 212423)  
Email: [mattz@eff.org](mailto:mattz@eff.org)  
ELECTRONIC FRONTIER FOUNDATION  
454 Shotwell St.  
San Francisco, California 94110  
Telephone: 415/436-9333  
Fax: 415/436-9993

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FALK  
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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  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
A Professional Corporation

1 DATED: February 26 2008.

Respectfully,

2 STEVEN L. MAYER  
3 CHRISTOPHER KAO  
4 SHAUDY DANAYE-ELMI  
5 HOWARD RICE NEMEROVSKI CANADY  
6 FALK & RABKIN  
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10 FOUNDATION OF NORTHERN  
11 CALIFORNIA, INC.

12 ADEN J. FINE  
13 AMERICAN CIVIL LIBERTIES UNION

14 CINDY A. COHN  
15 KURT OPSAHL  
16 MATTHEW J. ZIMMERMAN  
17 ELECTRONIC FRONTIER FOUNDATION

18 By:   
19 STEVEN L. MAYER

20 Attorneys for Proposed Intervenors PROJECT ON  
21 GOVERNMENT OVERSIGHT, *et al.*

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23 RICE  
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28 A Professional Corporation