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7 Telephone: (310) 556-3501
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9 Attorneys for Plaintiffs
10 **BANK JULIUS BAER & CO. LTD and**
11 **JULIUS BAER BANK AND TRUST CO. LTD**

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

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

19 Plaintiffs,

20 v.

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

27 Defendants.

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

NOTICE OF DISMISSAL

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1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiffs BANK JULIUS BAER & CO. LTD
3 and JULIUS BAER BANK AND TRUST CO. LTD (“Plaintiffs”) hereby
4 voluntarily dismisses, *without prejudice*, the above captioned action in its entirety,
5 whereby Plaintiffs may, at their option, later pursue their claims, including in an
6 alternate court, jurisdiction or venue.

7 Pursuant to Fed. Rules of Civil Proc., Rule 41(a)(1)(i), Plaintiffs have the
8 absolute right to dismiss the action “without order of the court” by filing a notice of
9 dismissal “at any time before service by the adverse party of an answer or of a
10 motion for summary judgment” Id.; See *Commercial Space Mgmt. Co., Inc. v.*
11 *Boeing Co., Inc.* (9th Cir. 1999) 193 F.3d 1074, 1077.

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14 DATED: March 5, 2008

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Respectfully submitted,

LAVELY & SINGER
PROFESSIONAL CORPORATION

/s/ William J. Briggs, II
By: _____
WILLIAM J. BRIGGS, II
Attorneys for Plaintiffs BANK JULIUS
BAER & CO. LTD and JULIUS BAER
BANK AND TRUST CO. LTD

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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) NOTICE OF DISMISSAL OF ACTION WITHOUT PREJUDICE

on the interested parties in this action by placing:

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

See attached "Service List"

BY FACSIMILE: I served the foregoing document described by facsimile machine located at telephone number 310-556-3615, pursuant to California Rules of Court Rules 2008 and 2009, to the interested parties in 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.

BY EMAIL
 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.

I declare that I am duly employed in the office of a member of the bar of this Court at whose direction the service was made. Executed **March 5, 2008**, at Los Angeles, California.

/s/
TIFFANY VOGT

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

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SERVICE LIST
CV08-0824 JSW

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Via USDC ECF E-Mail Notice Service