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VIA E-FILING

February 13, 2008

The Honorable Jeffrey S. White
United States District Court for the
Northern District of California
450 Golden Gate Ave.
San Francisco, CA 94102

RE: Julius Baer & Co. Ltd., et al. v. WikiLeaks, et al.
Civil Case No. CV 08-0824

Your Honor:

I had hoped not to burden you with further correspondence. However, by his letter to the Court of February 12, 2008, Mr. Briggs has accused me of lying and has made what might charitably be called inaccurate statements that must be addressed. I will keep my comments brief.

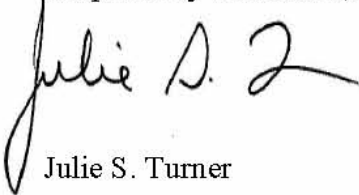
1. Mr. Briggs states that I am *currently* listed as WikiLeaks' counsel on its website. This is not so. My name, originally posted in error, was removed at my request before I ever had contact with any attorney in this matter. I attach a print-out from the WikiLeaks legal contact page, where my name shall not be found. Mr. Briggs states that I am listed on a WL webpage for "organizational contacts." I am unaware of any such listing since my information was removed, and a search for my name or address on the WL website yields no such listing.
2. Mr. Briggs cites to a January 23rd press release that said that I am WL's "California counsel" as evidence that I represent WL in this lawsuit. This press release was what prompted the second phone call from a rather agitated Mr. Spiegel. During that call, I told Mr. Spiegel again that I would not be representing WL in court, and I sent a letter to WL on the same day confirming that my engagement had come to an end.

The Honorable Jeffrey S. White
February 13, 2008
Page 2 of 2

3. Mr. Briggs accuses me of trying to mislead the Court when I wrote that I do not represent WL "in this litigation." Allow me to assure Mr. Briggs and the Court that I do not otherwise represent WL.
4. Mr. Briggs cites Rule 5(b) of the Federal Rules of Civil Procedure for the proposition that service of the complaint and other papers may be made on the attorney of a represented party. Leaving aside the fact that I do not represent WL, Rule 5(b) does not apply to service of an original complaint, as the Notes of the Advisory Committee on the 2001 Amendments make clear.¹ Complaints must be served pursuant to Rule 4. Proper service of the complaint is necessary for jurisdiction.

Thank you kindly for your forbearance.

Respectfully Submitted,



Julie S. Turner

cc: Mr. Evan Spiegel, Esq. (Bank Julius Baer)
Mr. William J. Briggs, II, Esq. (Bank Julius Baer)
Ms. Kathryn Han, Esq. (Dynadot, Inc.)

¹ Notes of Advisory Committee on 2001 Amendments to Rules reads in part:

"Rule 5(b) is restyled.

"Rule 5(b)(1) makes it clear that the provision for service on a party's attorney applies only to service made under Rules 5(a) and 77(d). Service under Rules 4, 4.1, 45(b), and 71A(d)(3) -- as well as rules that invoke those rules -- must be made as provided in those rules."

Rule 5(a), by its own express terms, does not apply to an original complaint.

Wikileaks:Legal

From Wikileaks

Contents

- 1 Send all USA legal correspondence to our lawyers
- 2 Digital Millennium Copyright Act
 - 2.1 Designated Agent
 - 2.2 Complaint Notice Procedures for Copyright Owners

Send all USA legal correspondence to our lawyers

Email:

legal@wikileaks.org

you will then be provided with a postal address and contact details.

We do not accept electronic servicing of legal documents.

Digital Millennium Copyright Act

This policy is intended to implement the procedures set forth in 17 U.S.C. Section 512 and the Digital Millennium Copyright Act ("DMCA") for the reporting of alleged copyright infringement.

Designated Agent

To contact Wikileaks (USA)'s Designated Agent to receive notification of alleged infringement under the DMCA, please email this address listed below. You will then be provided with contact details for the Wikileaks Agent:

legal@wikileaks.org

We do not accept electronic servicing of legal documents; email for our service address.

Complaint Notice Procedures for Copyright Owners

The following elements must be included in your copyright infringement notice:

1. A written signature of the copyright owner or a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
2. An accurate identification of the copyrighted work claimed to have been infringed.

3. Proof of Wikileaks (USA)'s ongoing facilitation of the distribution of the alleged infringing work. Be sure not to confuse independent Wikileaks organizations in other jurisdictions with Wikileaks (USA).
4. A description of the DMCA provision applying.
5. Information reasonably sufficient to permit Wikileaks (USA) to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
6. A statement from the complaining party that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law (including first amendment protections).
7. A statement, under a penalty of perjury, that the information in the notice is accurate, including that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Failure to include all of the above information may result in a delay of the processing of the DMCA notification.

Wikileaks (USA) may not be able to remove infringing works without the co-operation of its sister organizations in other jurisdictions. However Wikileaks (USA) will pass on in good faith any request that meets the notification requirements as set out above.

Retrieved from "<https://secure.wikileaks.org/wiki/Wikileaks:Legal>"

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