

1 MAYER BROWN LLP
 2 BRANDON D. BAUM (SBN 121318)
 3 *baum@mayerbrown.com*
 4 Two Palo Alto Square, Suite 300
 5 3000 El Camino Real
 6 Palo Alto, CA 94306-2112
 7 Telephone: (650) 331-2000
 8 Facsimile: (650) 331 2060

9 SHARON A. ISRAEL (*pro hac vice*)
 10 *sisrael@mayerbrown.com*
 11 700 Louisiana St.
 12 Suite 3400
 13 Houston, TX 77002
 14 Telephone: (713) 238-3000
 15 Facsimile: (713) 238-4888

16 Attorneys for Defendants
 17 ZI CORPORATION, a Canadian corporation,
 18 and ZI CORPORATION OF AMERICA, INC.,
 19 a Nevada corporation

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT
SAN FRANCISCO DIVISION

16 ASIAN COMMUNICATIONS PTY LTD., an
 17 Australian corporation, and TEGIC
 18 COMMUNICATIONS, INC., a Washington
 19 corporation,,
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Plaintiffs,

v.

ZI CORPORATION, a Canadian corporation,
 and ZI CORPORATION OF AMERICA, INC.,
 a Nevada corporation,
 Defendants.

Case No. 00-CV-0989 MMC

**~~PROPOSED~~ ORDER GRANTING ZI'S
 MOTION TO COMPEL ARBITRATION
 AND DENYING WITHOUT
 PREJUDICE (1) TEGIC'S MOTION
 FOR LEAVE TO FILE MOTION FOR
 ORDER TO SHOW CAUSE WHY
 DEFENDANTS SHOULD NOT BE
 HELD IN CONTEMPT OF CONSENT
 JUDGMENT AND (2) TEGIC'S
 MOTION FOR CONTEMPT**

1 **~~PROPOSED~~ ORDER**

2 The following motions came on regularly for hearing before this Court on Friday,
3 November 7, 2008:

- 4 (1) Plaintiff Tegic Communications, Inc.'s ("Tegic") Motion for Leave to File Motion for
5 Order to Show Cause Why Defendants Should Not Be Held in Contempt of Consent
6 Judgment ("Motion for Leave," dkt. no. 413);
7 (2) Tegic's Motion for Order to Show Cause Why Defendants Should Not Be Held in
8 Contempt of Consent Judgment ("Contempt Motion," dkt. no. 408);
9 (3) Defendants Zi Corporation and Zi Corporation of America's (collectively "Zi")
10 Cross-Motion to Compel Arbitration or, in the Alternative, Stay Proceedings Pending
11 Arbitration ("Arbitration Motion," dkt. no. 449); and
12 (4) Zi's Motion for Leave to File Surreply to Plaintiff's Reply in Support of Motion for
13 Order to Show Cause ("Motion for Leave to File Surreply," dkt. no. 459).

14 Having considered the parties' briefs and evidence in support of and in opposition to
15 these motions, the arguments of counsel, the file in this case, and other matters of which the
16 Court may take judicial notice, the Court:

- 17 (1) GRANTS Zi's Motion for Leave to File Surreply;
18 (2) ORDERS that the disputes arising out of or relating to the matters Tegic raised in its
19 Motion for Leave and its Contempt Motion are referred to arbitration under the terms of the
20 parties' Settlement Agreement, the parties remaining free to make jurisdictional objections in
21 such arbitration. The Court makes no ruling as to whether any such issues are subject to
22 arbitration;

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(3) DENIES, without prejudice, Tegic’s Motion for Leave and Contempt Motion.

IT IS SO ORDERED.

Dated: November 19, 2008


Hon. Maxine M. Chesney
U.S. District Judge

APPROVED AS TO FORM:

Dated: November 18, 2008

MAYER BROWN LLP

By: Eric B. Evans

MAYER BROWN LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, CA 94306-2112

Counsel for Defendants Zi Corporation and Zi Corporation of America, Inc.

Dated: November 18, 2008

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

By: 

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
555 Twin Dolphin Drive, Suite 560
Redwood Shores, CA 94065

Counsel for Plaintiff Tegic Communications, Inc.

Filer’s Attestation: Pursuant to General Order No. 45, Section X(B), the filer hereby attests that the signatories’ concurrence in the filing of this document has been obtained.