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 SONY ERICSSON MOBILE  
 8 COMMUNICATIONS AB

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

12 SONY ERICSSON MOBILE  
 COMMUNICATIONS AB,  
 13  
 14 Petitioner,

Case No. 3:09-CV-01326 MMC  
 AMENDED\*  
**TEMPORARY RESTRAINING  
 ORDER AND ORDER TO SHOW  
 CAUSE**

15 v.

16 DELTA ELECTRONICS (THAILAND)  
 PUBLIC COMPANY LIMITED, also  
 known as, "DELTA ELECTRONICS  
 17 PUBLIC COMPANY LIMITED  
 (THAILAND),"

18 Respondent.  
 19

21 UPON APPLICATION of Petitioner, Sony Ericsson Mobile  
 22 Communications AB ("Sony Ericsson"), for issuance of a temporary restraining order pending  
 23 ~~LET PETITIONER SHOW CAUSE before the Honorable Maxine Chesney,~~  
 24 ~~United States District Judge, at 450 Golden Gate Avenue, San Francisco, California on the~~  
 25 ~~\_\_\_\_\_ day of April, 2009, at \_\_\_\_\_: (1) why an Order attaching the assets of Delta~~  
 26 ~~Electronics (Thailand) Public Company Limited ("Delta") in the State of California up to~~  
 27 ~~\$4,287,555.93 should not be entered; (2) why judgment should not be entered on the~~  
 28 the Court's determination of Petitioner's Application for a Writ of Attachment,

1 ~~arbitration award dated June 30, 2008 (the "Award"), in favor of Sony Ericsson and~~  
2 ~~against Delta; and (3) granting Petitioner attorney's fees and costs of this proceeding.~~

3 ~~IT IS FURTHER ORDERED that any answering papers be served upon~~  
4 ~~counsel for Sony Ericsson, no later than April \_\_, 2009.~~

5 and IT appearing that immediate and irreparable injury, loss or damage would  
6 result to the Petitioner ~~before notice can be served and a hearing had~~ if Respondent Delta is  
7 allowed to instruct garnishees to distribute or otherwise transfer the sum ~~sought, it is~~ sought before the  
8 Court has had the opportunity to rule on the application for a writ of attachment, it is

ORDERED:

the application

- 9 1. Pending the hearing and determination of ~~this motion~~, garnishees  
10 Bank of America, Citibank, Deutsche Bank, HSBC USA Bank NA, JPMorgan Chase  
11 Bank, Standard Chartered Bank, and The Bank of New York, (the "Garnishees") be and  
12 hereby ~~are enjoined~~ and restrained from distributing or otherwise transferring up to the  
13 sum of ~~\$4,287,555.93~~ <sup>\$3,562,737.81</sup>, held by one or more of the Garnishees for the benefit of Delta;
- 14 2. To the extent any garnishee holds funds restrained by an order issued  
15 by the United States District Court for the Southern District of New York in "Sony  
16 Ericsson Mobile Communications AB, Petitioner v. Delta Electronics Public Company  
17 Limited (Thailand), Respondent," Case No. 09-00995, those funds shall count against the  
18 amount restrained under the preceding paragraph but shall also be subject to this  
19 restraining order;
- 20 3. An agent of Petitioner's counsel be and is hereby appointed, in  
21 addition to the United States Marshal, to serve this Temporary Restraining Order and the  
22 Verified Petition, and any interrogatories, upon the Garnishee(s), together with any other  
23 garnishee(s) who (based upon information developed subsequently by Petitioner) may hold  
24 assets of, for, or on behalf of the Respondent;
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4. If the Court grants Petitioner's application for a right to attach order and issuance of a writ of attachment, the restraint referred to in paragraph 1 and 2 of this Order shall cease upon service upon a Garnishee of a writ of attachment issued in this action.

Dated: April 15, 2009

  
United States District Judge