

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UBI TELECOM INC.,

Plaintiff,

v.

KDDI AMERICA, INC. and KDDI
CORPORATION,

Defendants.

Civil Action No. 13-1643 (KSH) (CLW)

ORDER

KDDI AMERICA, INC.,

Plaintiff,

v.

UBI TELECOM, INC.,

Defendant.

Upon consideration of the motion [D.E. 47] of defendant KDDI America, Inc. to dismiss in part the complaint filed by plaintiff UBI Telecom Inc., and the motion [D.E. 46] by defendant KDDI Corporation to dismiss UBI's complaint as to it; and for the reasons expressed in the Court's opinion filed herewith,

IT IS, on this 30th day of June, 2014,

ORDERED that KDDI America's partial motion to dismiss is **GRANTED IN PART** insofar as counts four and five are dismissed, and **DENIED IN PART** insofar as it seeks dismissal of counts six and seven; and it is further

ORDERED that KDDI Corporation's motion to dismiss is GRANTED IN PART insofar as the aiding and abetting claims in counts eight and nine are dismissed, and DENIED IN PART as discovery may go forward on UBI's assertion that this Court has personal jurisdiction over KDDI Corp.

/s/ Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.