

BRASIL TELECOM HOLDING CO  
Form 6-K  
August 08, 2005

---

**SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

---

**FORM 6-K**

**REPORT OF FOREIGN ISSUER  
PURSUANT TO RULE 13a-16 OR 15d-16 OF THE  
SECURITIES EXCHANGE ACT OF 1934**

**THROUGH AUGUST 5, 2005**

**(Commission File No. 1-14477)**

---

**BRASIL TELECOM PARTICIPAÇÕES S.A.**  
*(Exact name of registrant as specified in its charter)*

**BRAZIL TELECOM HOLDING COMPANY**  
*(Translation of Registrant's name into English)*

---

**SIA Sul, Área de Serviços Públicos, Lote D, Bloco B  
Brasília, D.F., 71.215-000  
Federative Republic of Brazil**  
*(Address of Registrant's principal executive offices)*

---

Indicate by check mark whether the registrant files or will file  
annual reports under cover Form 20-F or Form 40-F.

Form 20-F  Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K  
in paper as permitted by Regulation S-T Rule 101(b)(1).

Indicate by check mark if the registrant is submitting the Form 6-K  
in paper as permitted by Regulation S-T Rule 101(b)(7).

Indicate by check mark whether the registrant by furnishing the  
information contained in this Form is also thereby furnishing the  
information to the Commission pursuant to Rule 12g3-2(b) under  
the Securities Exchange Act of 1934.

Yes  No

Edgar Filing: BRASIL TELECOM HOLDING CO - Form 6-K

If "Yes" is marked, indicated below the file number assigned to the registrant in connection with Rule 12g3-2(b):

---

**Investor Relations**

(55 61) 3415-1140

[ri@brasiltelecom.com.br](mailto:ri@brasiltelecom.com.br)

[www.brasiltelecom.com.br/ir/](http://www.brasiltelecom.com.br/ir/)

**Media Relations**

(55 61) 3415-1378

[cesarb@brasiltelecom.com.br](mailto:cesarb@brasiltelecom.com.br)

Free Translation

**BRASIL TELECOM PARTICIPAÇÕES S.A.**

Corporate Tax Payer Registration 02.570.688/0001 -70

Board of Trade 53 3 0000581 - 8

Publicly Held Company

**MATERIAL FACT**

In compliance with Official Letter/CVM/SEP/GEA-2/N°362/05, Brasil Telecom Participações S.A. ( BTP or Company ) hereby transcribes the entire decision issued by the Honorable Acting-President of the Superior Court of Justice on July 29<sup>th</sup>, 2005, in the proceedings of the Jurisdiction Conflict n°. 51.650 (Case no. 2005/0108539-4), as follows:

*Case record examined, etc.*

1. INVESTIDORES INSTITUCIONAIS FUNDO DE INVESTIMENTO EM AÇÕES, through the Complaint filed at this Court under n°. 101424, requests that a new decision be issued by this Vice-Presidency, in relation to CC (jurisdiction conflict) n°. 51.650. reconfirming the full suspension of the effects of the decision issued by the 2<sup>nd</sup> Division of the Federal Court of Florianópolis/SC.

The reason for this measure is, in short, the fact that the administrators appointed by Opportunity had a material fact submitted to the Comissão de Valores Mobiliários [Brazilian Securities and Exchange Commission] (doc.01), and published in some of the main newspapers in the Country, reporting that the decision of the 2<sup>nd</sup> Court Division was not suspended, affirming that this Vice-Presidency had decided in favor of the illegality of the meeting held by Brasil Telecom on July/27/2005.

The complainant, in short, alleges that the material facts published by Opportunity before CVM carry Company information to the shareholders and to the market, and in the present case of a publicly held Company with a large amount of shares spread in the market, the misinterpretation of this Vice-Presidency's decision may induce into error millions of investors in the financial market, especially Brasil Telecom investors.

2. According to the jurisdiction conflict proceeding referred above, the Presidency of this High Justice Court has granted injunction as follows:

*"Thus, understanding that the requirements that authorize the measure have been complied with, I partially grant the injunction, ad referendum of the Reporting Judge, to temporarily determine the competence of the 4th Federal Division of the Judicial Section of Brasília to appreciate the urgent measures relative to the lawsuits mentioned, as well as to appreciate any other suits that may be brought having the same purpose, i.e.: to attack directly or indirectly, at any title, the validity and effectiveness of the corporate acts necessary for the replacement of the administrators appointed by Opportunity in the Brasil Telecom controlling chain."*

*Later, through Complaint n.º. 100.578, the herein complainant informed about other suits pending before the 1<sup>st</sup> Federal Court Division in Maringá/PR and the 2<sup>nd</sup> Federal Court Division of Florianópolis/SC, having the purpose to discuss the replacement of the administrators appointed by Opportunity in the controlling chain of Brasil Telecom, contrary to the scope of the injunction granted by the Presidency of this Court to avoid conflicting decisions, as well as the temporary determination of competence of the 4<sup>th</sup> Federal Court Division of the Judicial Section of Brasília to appreciate any other actions. It informed that the injunction was granted by the Federal Division of Florianópolis, for which reason it requested, among other measures, the suspension of the lawsuits mentioned, as well as the effects of the injunction granted, which was granted by this Vice-Presidency, as follows:*

*In view of what has been described above, I partially grant the requests to suspend lawsuits n.º 2005.72.00.007938-1 and 2005.70.03.004530-7, as well as the effects of the decision issued by the 2<sup>nd</sup> Federal Division of the Judiciary Section of Florianópolis/SC, until further deliberation. Copies of the complaint and of the injunction issued by the President Judge should be sent to request information.*

*3. In order to avoid misunderstandings, as the one in doc. I attached by the complainant, I expressly affirm that all effects of the decision issued by the 2<sup>nd</sup> Federal Court Division of Florianópolis/SC are suspended until further deliberation.*

*Publish and serve the parties.*

*Brasília, July 29, 2005.*

*MINISTER SÁLVIO DE FIGUEIREDO TEIXEIRA  
Vice-President, Acting President.*

Brasília, August 5<sup>th</sup>, 2005

**Marcos de Magalhães Tourinho**  
Investors Relations Officer  
Brasil Telecom Participações S.A.

**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Date: August 5, 2005

**BRASIL TELECOM PARTICIPAÇÕES S.A.**

By:           /s/ Marcos de Magalhães  
                  Tourinho

Name: Marcos de Magalhães  
Tourinho  
Title: Investor Relations  
Officer

---