

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISH NETWORK  
DERIVATIVE LITIGATION.

JACKSONVILLE POLICE AND FIRE  
PENSION FUND,

Appellant,

vs.

GEORGE R. BROKAW; CHARLES M.  
LILLIS; TOM A. ORTOLF; CHARLES  
W. ERGEN; CANTEY M. ERGEN;  
JAMES DEFRANCO; DAVID K.  
MOSKOWITZ; CARL E. VOGEL;  
THOMAS A. CULLEN; KYLE J. KISER;  
AND R. STANTON DODGE,

Respondent.

Electronically Filed  
SUPREME COURT No. 69012  
May 27 2016 09:34 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

**JOINT APPENDIX  
VOLUME 44 of 44**

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Date	Document Description	Volume	Bates No.
2014-08-29	Affidavit of Service re Second Amended Complaint Kyle Jason Kiser	Vol. 18	JA004272 – JA004273 <sup>1</sup>
2014-08-29	Affidavit of Service re Second Amended Complaint Stanton Dodge	Vol. 18	JA004268 – JA004271
2014-08-29	Affidavit of Service re Second Amended Complaint Thomas A. Cullen	Vol. 18	JA004274 – JA004275
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000040

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<sup>1</sup> JA = Joint Appendix

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Bates No.</b>
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000041
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000042
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000043
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000044
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000045
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000046
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000047
2013-08-22	Affidavit of Service re Verified Shareholder Complaint	Vol. 1	JA000048
2016-01-27	Amended Judgment	Vol. 43	JA010725 – JA010726
2014-10-26	Appendix, Volume 1 of the Appendix to the Report of the Special Litigation Committee of DISH Network Corporation (No exhibits attached)	Vol. 20	JA004958 – JA004962
2014-10-27	Appendix, Volume 2 of the Appendix to the Report of the Special Litigation Committee of DISH Network Corporation (No exhibits attached)	Vol. 20	JA004963 – JA004971

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Bates No.</b>
2014-10-27	Appendix, Volume 3 of the Appendix to the Report of the Special Litigation Committee of DISH Network Corporation and Selected Exhibits to Special Litigation Committee's Report: Exhibit 162 (Omnibus Objection of the United States Trustee to Confirmation dated Nov. 22, 2013); Exhibit 172 (Hearing Transcript dated December 10, 2013); and Exhibit 194 (Transcript, Hearing: Bench Decision in Adv. Proc. 13-01390-scc., Hearing: Bench Decision on Confirmation of Plan of Debtors (12-12080-scc), In re LightSquared Inc., No. 12-120808-scc, Adv. Proc. No. 13-01390-scc (Bankr. S.D.N.Y. May 8, 2014)); Exhibit 195 (Post-Trial Findings of Fact and Conclusion of Law dated June 10, 2014 (In re LightSquared, No. 12-120808 (Bankr. S.D.N.Y.)); Exhibit 203 (Decision Denying Confirmation of Debtors' Third Amended Joint Plan Pursuant to Chapter 11 of Bankruptcy Code (In re LightSquared, No. 12-120808 (Bankr. S.D.N.Y.))	Vol. 20 Vol. 21 Vol. 22 Vol. 23	JA004972 – JA005001 JA005002 – JA005251 JA005252 – JA005501 JA005502 – JA005633
2014-10-27	Appendix, Volume 4 of the Appendix to the Report of the Special Litigation Committee of DISH Network Corporation (No exhibits attached)	Vol. 23	JA005634 – JA005642

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Bates No.</b>
2014-10-27	Appendix, Volume 5 of the Appendix to the Report of the Special Litigation Committee of DISH Network Corporation and Selected Exhibits to Special Litigation Committee's Report: Exhibit 395 (Perella Fairness Opinion dated July 21, 2013); Exhibit 439 (Minutes of the Special Meeting of the Board of Directors of DISH Network Corporation (December 9, 2013). (In re LightSquared, No. 12-120808 (Bankr. S.D.N.Y.)) <b>(Filed Under Seal)</b>	Vol. 23	JA005643 – JA005674
2014-10-27	Appendix, Volume 6 of the Appendix to the Report of the Special Litigation Committee of DISH Network Corporation (No exhibits attached)	Vol. 23	JA005675 – JA005679
2014-06-18	Defendant Charles W. Ergen's Response to Plaintiff's Status Report	Vol. 17	JA004130 – JA004139
2014-08-29	Director Defendants Motion to Dismiss the Second Amended Complaint	Vol. 18	JA004276 – JA004350
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2013-08-12	Errata to Verified Shareholder Complaint	Vol. 1	JA000038 – JA000039
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2015-09-18	Findings of Fact and Conclusions of Law Regarding The Motion to Defer to the SLC's Determination That The Claims Should Be Dismissed	Vol. 41	JA010074 – JA010105
2013-09-19	Hearing Transcript re Motion for Expedited Discovery	Vol. 5	JA001029 – JA001097
2013-11-25	Hearing Transcript re Motion for Preliminary Injunction	Vol. 13 Vol. 14	JA003147 – JA003251 JA003252 - JA003315
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2015-07-16	Hearing Transcript re Motion to Defer	Vol. 41	JA010049 – JA010071
2015-01-12	Hearing Transcript re Motions including Motion to Defer to the Special Litigation Committee's Determination that the Claims Should be Dismissed and Motion to Dismiss <b>(Filed Under Seal)</b>	Vol. 25 Vol. 26	JA006228 – JA006251 JA006252 – JA006311

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2016-02-02	Notice of Appeal	Vol. 43	JA010734 – JA010746
2016-02-09	Notice of Appeal	Vol. 43 Vol. 44	JA010747 – JA010751 JA010752 – JA010918
2016-01-28	Notice of Entry of Amended Judgment	Vol. 43	JA010727 – JA010733
2015-10-02	Notice of Entry of Findings of Fact and Conclusions of Law re the SLC's Motion to Defer	Vol. 41	JA010106 – JA010142
2016-01-12	Notice of Entry of Order Granting in Part and Denying in Part Plaintiff's Motion to Retax	Vol. 43	JA010716 – JA010724
2013-10-16	Notice of Entry of Order Granting, in Part, Plaintiffs Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction on Order Shortening Time and Plaintiff's Motion for Preliminary Injunction and for Discovery on an Order Shortening Time	Vol. 7	JA001562 – JA001570

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2015-02-20	Notice of Entry of Order Regarding Motion to Defer to The SLC's Determination that the Claims Should Be Dismissed	Vol. 26	JA006315 – JA006322
2016-01-08	Order Granting in Part and Denying in Part Plaintiff's Motion to Retax	Vol. 43	JA010712 – JA010715
2013-10-15	Order Granting, in Part, Plaintiffs Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction on Order Shortening Time and Plaintiff's Motion for Preliminary Injunction and for Discovery on an Order Shortening Time	Vol. 7	JA001557 – JA001561
2015-02-19	Order Regarding Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed	Vol. 26	JA006312 – JA006314
2013-09-13	Plaintiff's Appendix of Exhibits to Motion for Preliminary Injunction and For Discovery on an Order Shortening Time	Vol. 1 Vol. 2 Vol. 3 Vol. 4 Vol. 5	JA00132 – JA00250 JA00251 – JA00501 JA00502 – JA00751 JA00752 – JA001001 JA001002 – JA001028
2013-10-03	Plaintiff's Appendix of Exhibits to Status Report	Vol. 5 Vol. 6	JA001115 – JA001251 JA001252 – JA001335
2014-06-06	Plaintiff's Appendix of Exhibits to Status Report	Vol. 14 Vol. 15 Vol. 16	JA03385 – JA003501 JA003502 – JA003751 JA003752 – JA003950



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2013-11-13	Plaintiff's Appendix of Exhibits to Supplement to Motion for Preliminary Injunction Vol. 1 Part 2 ( <b>Filed Under Seal</b> )	Vol. 8 Vol. 9 Vol. 10	JA001956 – JA002001 JA002002 – JA002251 JA002252 – JA002403
2013-11-13	Plaintiff's Appendix of Exhibits to Supplement to Motion for Preliminary Injunction Vol. 1 Part 3 ( <b>Filed Under Seal</b> )	Vol. 10 Vol. 11 Vol. 12 Vol. 13	JA002404 – JA002501 JA002502 – JA002751 JA002752 – JA003001 JA003002 – JA003065
2015-06-18	Plaintiff's Appendix of Exhibits to their Supplemental Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed ( <b>Filed Under Seal</b> )	Vol. 27 Vol. 28 Vol. 29 Vol. 30 Vol. 31 Vol. 32 Vol. 33 Vol. 34 Vol. 35 Vol. 36 Vol. 37	JA006512 – JA006751 JA006752 – JA007001 JA007002 – JA007251 JA007252 – JA007501 JA007502 – JA007751 JA007752 – JA008251 JA008002 – JA008251 JA008252 – JA008501 JA008502 – JA008751 JA008752 – JA009001 JA009002 – JA009220
2013-09-13	Plaintiff's Motion for Preliminary Injunction and for Discovery on an Order Shortening Time	Vol. 1	JA000095 – JA000131
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2014-12-10	Plaintiff's Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed <b>(Filed Under Seal)</b>	Vol. 24	JA005868 – JA005993
2014-09-19	Plaintiff's Opposition to the Special Litigation Committee's Motion to Dismiss for Failure to Plead Demand Futility	Vol. 19	JA004509 – JA004539
2015-11-20	Plaintiff's Reply in Further Support of its Motion to Retax	Vol. 43	JA010644 – JA010658
2015-12-10	Plaintiff's Response to SLC's Supplement to Opposition to Plaintiff's Motion to Retax	Vol. 43	JA010700 – JA010711
2013-10-03	Plaintiff's Status Report	Vol. 5	JA001098 – JA001114
2014-06-06	Plaintiff's Status Report	Vol. 14	JA003368 – JA003384
2014-10-30	Plaintiff's Status Report	Vol. 23	JA005680 - JA005749
2015-04-03	Plaintiff's Status Report	Vol. 26	JA006323 – JA006451
2013-11-18	Plaintiff's Supplement to its Supplement to its Motion for Preliminary Injunction	Vol. 13	JA003066 – JA003097

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2013-11-08	Plaintiff's Supplement to Motion for Preliminary Injunction <b>(Filed Under Seal)</b>	Vol. 7	JA001571 – JA001606
2014-06-16	Plaintiff's Supplement to the Status Report	Vol. 16 Vol. 17	JA003951 – JA004001 JA004002 – JA004129
2014-12-15	Plaintiff's Supplemental Authority to its Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed	Vol. 24 Vol. 25	JA005994 – JA006001 JA006002 – JA006010
2015-06-18	Plaintiff's Supplemental Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed <b>(Filed Under Seal)</b>	Vol. 26 Vol. 27	JA006460 – JA006501 JA006502 – JA006511
2014-10-24	Report of the Special Litigation Committee <b>(Filed Under Seal)</b>	Vol. 19 Vol. 20	JA004613 – JA004751 JA004752 – JA004957
2014-07-25	Second Amended Complaint <b>(Filed Under Seal)</b>	Vol. 17 Vol. 18	JA004140 – JA004251 JA004252 – JA004267
2013-11-20	Special Litigation Committee Report Regarding Plaintiff's Motion for Preliminary Injunction <b>(Filed Under Seal)</b>	Vol. 13	JA003098 – JA003143
2015-01-06	Special Litigation Committee's Appendix of Exhibits Referenced in their Reply In Support of their Motion to Defer to its Determination that the Claims Should Be Dismissed	Vol. 25	JA006046 – JA006227

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2015-07-02	Special Litigation Committee's Appendix of Exhibits to Supplemental Reply in Support of their Motion to Defer <b>(Filed Under Seal)</b> (Includes Exhibits: C, D, E, J and K)	Vol. 39	JA009553 – JA009632
2015-07-02	Special Litigation Committee's Appendix of Exhibits to their Supplemental Reply in Support of their Motion to Defer (Exhibits Filed Publicly) (Includes Exhibits: A, B, F, G, H, I, L and M)	Vol. 37 Vol. 38	JA009921 – JA009251 JA009252 – JA009498
2015-07-02	Special Litigation Committee's Appendix of SLC Report Exhibits Referenced in Supplemental Reply in Support of the Motion to Defer <b>(Exhibits Filed Under Seal)</b> (Includes SLC Report Exhibits 298, 394, 443, 444, 446, 447 and 454)	Vol. 41	JA0010002 – JA010048
2015-07-02	Special Litigation Committee's Appendix of SLC Report Exhibits Referenced in Supplemental Reply in Support of the Motion to Defer (Exhibits Filed Publicly) (Includes SLC Report Exhibits 5, 172, and 195)	Vol. 39 Vol. 40	JA009633 – JA009751 JA009752 – JA010001
2015-10-19	Special Litigation Committee's Memorandum of Costs	Vol. 41 Vol. 42 Vol. 43	JA010185 – JA010251 JA010252 – JA010501 JA010502 – JA010588
2014-11-18	Special Litigation Committee's Motion to Defer to its Determination that the Claims Should Be Dismissed	Vol. 23 Vol. 24	JA005750 – JA005751 JA005751 – JA005867

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2014-10-02	Special Litigation Committee's Reply in Support of Their Motion to Dismiss for Failure to Plead Demand Futility	Vol. 19	JA004555 – JA004612
2015-01-05	Special Litigation Committee's Reply in Support of their Motion to Defer to its Determination that the Claims Should Be Dismissed	Vol. 25	JA006011 – JA006045
2013-10-03	Special Litigation Committee's Status Report	Vol. 6 Vol. 7	JA001336 – JA001501 JA001502 – JA001554
2015-04-06	Special Litigation Committee's Status Report	Vol. 26	JA006452 – JA006459
2015-12-08	Special Litigation Committee's Supplement to Opposition to Plaintiff's Motion to Retax	Vol. 43	JA010690 – JA010699
2015-07-02	Special Litigation Committee's Supplemental Reply in Support of the Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed <b>(Filed Under Seal)</b>	Vol. 38 Vol. 39	JA009499 – JA009501 JA009502 – JA009552
2013-09-12	Verified Amended Derivative Complaint	Vol. 1	JA000049 – JA000094

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Bates No.</b>
2013-08-09	Verified Shareholder Derivative Complaint	Vol. 1	JA000001 – JA000034

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1 PLEASE TAKE NOTICE that the attached Order Granting in Part and Denying in Part  
2 Plaintiff's Motion to Retax was entered on the 8th day of January 2016.

3 DATED this 12th day of January 2016

4  
5 /s/ Robert J. Cassity

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17 *Attorneys for the Special Litigation Committee*  
18 *of Dish Network Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12th day of January 2016, a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO RETAX** was served by the following method(s):

× Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

See the attached E-Service Master List

☐ U.S. Mail: by depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

☐ Email: by electronically delivering a copy via email to the following e-mail address:

☐ Facsimile: by faxing a copy to the following numbers referenced below:

/s/ Valerie Larsen  
An Employee of Holland & Hart LLP



**E-Service Master List  
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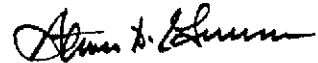
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1 **ORDR**

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27 *Attorneys for the Special Litigation Committee*  
28 *of DISH Network Corporation*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN RE DISH NETWORK CORPORATION  
DERIVATIVE LITIGATION

Case No. A-13-686775-B  
Dept. No. XI

*Consolidated with A688882*

Date: November 24, 2015  
Time: 8:30 a.m.

**ORDER GRANTING IN PART AND  
DENYING IN PART PLAINTIFF'S  
MOTION TO RETAX**

This matter came before the Court on November 24, 2015 at 8:30 a.m. on Plaintiff Jacksonville Police and Fire Pension Fund's ("Plaintiff") Motion to Retax (the "Motion"). J. Stephen Peek of Holland & Hart LLP, and C. Barr Flinn and Emily V. Burton of Young,

HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

1 Conaway, Stargatt, & Taylor, LLP appeared on behalf of the Special Litigation Committee of  
2 DISH Network Corporation ("SLC"). Jeffrey S. Rugg and Maximilien Fetaz of Brownstein  
3 Hyatt Farber Shreck appeared on behalf of Defendants James DeFranco, David K. Moskowitz,  
4 and Carl E. Vogel. Tariq Mundiya of Willkie Farr LLP appeared on behalf of Defendants  
5 Charles Ergen and Cantey Ergen. Brian W. Boschee of the law firm of Holley Driggs Walch  
6 Puzey & Thompson, and Mark Lebovitch and Adam Hollander of Bernstein Litowitz Berger &  
7 Grossmann LLP appeared on behalf of the Plaintiff.

8 The Court, having reviewed the Plaintiff's Motion, the Opposition, and the Reply, and  
9 having heard the oral arguments of counsel, and good cause appearing, makes the following  
10 findings:

11 1. The costs of the electronic discovery vendors utilized by the SLC in this case  
12 were a reasonable and necessary expense incurred in connection with the action as a method by  
13 which to acquire and process the information that was required to be produced in response to the  
14 Plaintiff's NRCP 56(f) discovery requests, and they are recoverable under NRS 18.005(17). *See*  
15 *also* NRCP 34(d).

16 2. As Nevada counsel for the SLC, Mr. Peek's travel expenses for attending the  
17 depositions were reasonable and necessary, and are recoverable under NRS 18.005(15).  
18 However, the travel expenses of co-counsel incurred in attending the depositions were not. None  
19 of the travel expenses for attending hearings are recoverable under NRS 18.005.

20 3. The costs related to photocopies were reasonable and necessary, are recoverable  
21 under NRS 18.005(12), and are better documented than those discussed in *Cadle Co. v. Woods &*  
22 *Erickson, LLP*, 131 Nev. Adv. Op. 15, 345 P.3d 1049 (2015).

23 4. The costs of "real time" court reporting services, same-day rough transcripts, and  
24 expedited transcripts are not recoverable under NRS 18.005(2), nor are they recoverable under  
25 NRS 18.005(17) as a reasonable and necessary expense incurred in connection with the action.  
26 The remaining costs related to court reporting and videographer services were reasonable and  
27 necessary and are recoverable under NRS 18.005(2) and NRS 18.005(17), respectively.

28 5. The costs related to long distance telephone calls were adequately supported and

1 are reasonable and necessary, and are recoverable under NRS 18.005(13).

2 6. The postage costs were sufficiently documented and are reasonable and  
3 necessary, and are recoverable under NRS 18.005(14).

4 Having made the foregoing findings, and good cause appearing,

5 IT IS HEREBY ORDERED that Plaintiff's Motion is GRANTED in part and DENIED in  
6 part as follows:

7 1. The Motion is GRANTED in part with respect to travel expenses for the SLC's  
8 out-of-state counsel, and all expenses related to travel for hearings, which are retaxed in the  
9 amount of \$20,025.73.

10 2. The Motion is GRANTED as to the costs related to "real time" services, which  
11 are retaxed in the amount of \$2,407.50 and with respect to next-day expedited transcripts and  
12 same-day rough copies of transcripts in the amount of \$7,222.50. The Motion is DENIED with  
13 respect to costs related to court reporter's fees, deposition transcripts, and videographer's fees,  
14 leaving \$9,316.15 in recoverable court reporter's fees.

15 3. The Motion is DENIED as to expenses related to travel by Mr. Peek for  
16 depositions, which are recoverable in the amount of \$3,653.96.

17 4. The Motion is DENIED with respect to the electronic discovery costs, which are  
18 recoverable in the full amount of \$151,178.32.

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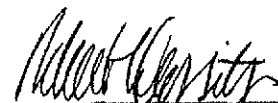
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

1           5.       The Motion is DENIED with respect to the costs related to photocopies, long  
2 distance telephone calls, and postage, which are recoverable in the amount of \$21,952.17.

3           DATED this 5<sup>th</sup> day of Jan ~~December~~, 2016.

4  
5   
DISTRICT COURT JUDGE

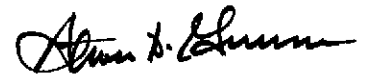
6 Respectfully submitted by:

7   
8  
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19 *of DISH Network Corporation*  
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19 *Attorneys for Jacksonville Police and Fire Pension Fund*

20 **DISTRICT COURT**

21 **CLARK COUNTY, NEVADA**

22 IN RE DISH NETWORK DERIVATIVE  
23 LITIGATION,

CASE NO.: A-13-686775-B

DEPT. NO.: XI

Consolidated with  
A-13-688862-B  
A-14-693887-B

26 **CASE APPEAL STATEMENT**

The Jacksonville Police and Fire Pension Fund ("JACKSONVILLE"), by and through its attorneys of record, Bernstein Litowitz Berger & Grossmann LLP; McDonald Carano Wilson LLP; and Holley, Driggs, Walch, Fine, Wray, Puzey, & Thompson submits the following Case Appeal Statement pursuant to Rule 3(f) of the Nevada Rules of Appellate Procedure.

**1. Name of appellant filing this Case Appeal Statement:**

Jacksonville Police and Fire Pension Fund

**2. Identify the Judge issuing the decision, judgment, or order appealed from:**

The Honorable Elizabeth Gonzalez, Department XI, Eighth Judicial District Court, Clark County, Nevada.

**3. Identify each appellant and the name and address of counsel for each appellant:**

Jacksonville Police and Fire Pension Fund

Jeff Silvestri, Esq.  
Amanda C. Yen, Esq.  
Debbie Leonard, Esq.  
McDonald Carano Wilson LLP  
2300 W. Sahara Avenue, Suite 1200  
Las Vegas, NV 89102

Brian W. Boschee, Esq.  
William N. Miller, Esq.  
Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson  
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Mark Lebovitch, Esq. (admitted *pro hac vice*)  
Jeroen Van Kwawegen, Esq. (admitted *pro hac vice*)  
Adam D. Hollander, Esq. (admitted *pro hac vice*)  
Bernstein Litowitz Berger & Grossmann LLP  
1251 Avenue of the Americas, 44<sup>th</sup> Floor  
New York, NY 10020

**4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):**

J. Stephen Peek, Esq.  
Robert J. Cassity, Esq.  
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9555 Hillwood Drive, 2<sup>nd</sup> Floor  
Las Vegas, NV 89134



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13 *Committee of DISH Network Corporation)*

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19 James C. Dugan, Esq.  
20 Tariq Mundiya, Esq.  
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23 New York, NY 10019

24 *Attorneys for Charles W. Ergen and Cantey M. Ergen*

25 Kirk B. Lenhard, Esq.  
26 Jeffrey S. Rugg, Esq.  
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*Attorneys for James DeFranco, David K. Moskowitz, and Carl E. Vogel, and (in their*  
*capacity as Director Defendants) George R. Brokaw, Charles M. Lillis, and Tom A. Ortolf*

...

...

...

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Debra L. Spinelli, Esq.  
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Las Vegas, NV 89101

Bruce R. Braun  
Sidley Austin LLP  
One South Dearborn  
Chicago, IL 60603

*Attorneys for Thomas A. Cullen, Kyle J. Kiser, and R. Stanton Dodge*

5. **Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):**

Mark Lebovitch, Esq. (*admitted pro hac vice* on 9/11/13)  
Jeroen Van Kwawegen, Esq. (*admitted pro hac vice* on 10/9/13)  
Adam D. Hollander, Esq. (*admitted pro hac vice* on 2/3/14)  
Alla Zayenchik, Esq. (*pro hac vice application to be submitted*)  
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James C. Dugan, Esq. (*admitted pro hac vice* on 9/24/13)  
Tariq Mundiya, Esq. (*admitted pro hac vice* on 9/24/13)  
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Robert S. Brady, Esq. (*admitted pro hac vice* on 12/5/13)  
C. Barr Flinn, Esq. (*admitted pro hac vice* on 12/5/13)  
Emily V. Burton, Esq. (*admitted pro hac vice* on 3/27/15)  
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Zachary Madonia, Esq. (*admitted pro hac vice* on 2/3/15)  
Sidley Austin LLP  
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Chicago, IL 60603

All Orders setting forth the date the District Court granted each above-listed attorney's *pro hac vice* application and motion to associate counsel is attached hereto as **Exhibit A**.

**6. Indicate whether appellant was represented by appointed or retained counsel in the district court:**

Appellant was represented by retained counsel in the District Court.

**7. Indicate whether appellant is represented by appointed or retained counsel on Appeal:**

Appellants are represented by retained counsel on appeal.

**8. Indicate whether appellant was granted leave to proceed in forma pauperis and the date of entry of the district court order granting such leave:**

Not applicable.

**9. Indicate the Date the Proceedings Commenced in the District Court:**

Plaintiff filed its complaint in this case on August 9, 2013.

**10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:**

Plaintiff, a shareholder of Nominal Defendant DISH Network Corporation ("DISH") raised five derivative claims on behalf of DISH: (1) a claim against DISH's controlling shareholder Charles Ergen ("Ergen") for breach of the fiduciary duty of loyalty in connection with DISH's failed bid for assets of the bankrupt spectrum company LightSquared; (2) a claim against Ergen for breach of the fiduciary duty of loyalty in connection with Ergen's purchases of LightSquared debt; (3) a claim against members of DISH's board of directors for breach of the fiduciary duty of loyalty; (4) a claim against certain DISH executive officers for breach of the fiduciary duty of loyalty; and (5) a claim against Ergen for unjust enrichment.

...

...

1 Plaintiff alleged that, as a result of Ergen and the other Defendants' misconduct, Ergen is set  
2 to reap approximately \$800 million in personal profits on purchases of LightSquared debt that  
3 rightfully belong to DISH, and DISH lost the opportunity to purchase LightSquared assets worth  
4 billions of dollars that DISH could have acquired at a significantly lower price but for Ergen's  
5 interference with DISH's bid to protect his personal investment in LightSquared debt.

6 The night before the Trial Court was set to hear argument on Plaintiff's Motion for Expedited  
7 Discovery in Connection With Its Motion for Preliminary Injunction, the board formed a special  
8 litigation committee ("SLC"), which opposed Plaintiff's claims and ultimately issued a report  
9 recommending that the board not pursue Plaintiff's claims. The SLC filed a motion to defer to its  
10 determination that Plaintiff's claims should be dismissed. Before and following discovery into the  
11 SLC's independence and the thoroughness of its investigation, Plaintiff presented evidence showing  
12 the existence of operative facts precluding a finding that, as a matter of law, the SLC members and  
13 their recommendation to dismiss this action met the applicable standards for independence,  
14 thoroughness, and good faith to merit judicial deference. In an oral ruling on July 16, 2015,  
15 followed by the entry of the SLC's proposed findings of fact and conclusions of law on September  
16 18, 2015, the District Judge granted the SLC's motion requesting that the District Court defer to the  
17 SLC and its recommendation to dismiss this Action, and denied Defendants' pending motions to  
18 dismiss as moot.

19 On October 19, 2015, the SLC filed a Memorandum of Costs, claiming taxable costs under  
20 NRS 18.005. Plaintiff filed a Motion to Retax, arguing that neither NRS 18.005 nor Nevada  
21 Supreme Court precedent established in *Bergmann v. Boyce*, 109 Nev. 670 (1993), and *Bobby*  
22 *Berosini, Ltd. v. People for the Ethical Treatment of Animals*, 114 Nev. 1348 (1998), allow for  
23 taxation of certain claimed expenses, including over \$150,000 in electronic discovery costs. After  
24 briefing, the District Court granted in part and denied in part Plaintiff's Motion to Retax, including  
25 denying the Motion to Retax the SLC's significant electronic discovery costs that Plaintiff argued  
26 are not taxable under the statute. The District Court ultimately awarded the SLC \$186,100.60 in  
27 costs, plus interest.  
28

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceedings in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

The case is presently the subject of an appeal, styled as *In re DISH Network Derivative Litigation*, Case No. 69012.

12. Indicate whether this appeal involves child custody or visitation:

Not applicable.

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13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

In Case No. 69012 the parties were referred to the settlement program, which ultimately did not result in a settlement. Thus, the parties' participation in a settlement conference will be futile and it will not result in any settlement.

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

RESPECTFULLY SUBMITTED this 2<sup>nd</sup> day of February, 2016.

McDONALD CARANO WILSON LLP

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Telephone: 212.554.1400

Attorneys for Jacksonville Police and Fire Pension Fund

JA010767

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of McDonald Carano Wilson LLP and that on the 2<sup>nd</sup> day of February, 2016, a true and correct copy of the foregoing **CASE APPEAL STATEMENT** was electronically filed with the Clerk of the Court via the Clark County District Court Electronic Filing Program which will provide copies to all counsel of record registered to receive such electronic notification.



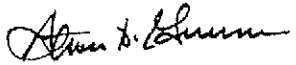
\_\_\_\_\_  
An employee of McDonald Carano Wilson LLP

LVDOCS-#351579

# **EXHIBIT A**

# **EXHIBIT A**





CLERK OF THE COURT

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27 *Attorneys for Plaintiff*

DISTRICT COURT  
CLARK COUNTY, NEVADA

18 JACKSONVILLE POLICE AND FIRE  
19 PENSION FUND, derivatively on behalf of  
20 nominal defendant DISH NETWORK  
21 CORPORATION,

Plaintiff,

v.

22 CHARLES W. ERGEN; JOSEPH P.  
23 CLAYTON; JAMES DEFRANCO; CANTEY  
24 M. ERGEN; STEVEN R. GOODBARN; DAVID  
25 K. MOSKOWITZ; TOM A. ORTOLF; CARL  
26 E. VOGEL; DOES I-X, inclusive and ROE  
27 ENTITIES I-X, inclusive,

Defendants.

28 DISH NETWORK CORPORATION, a Nevada  
corporation,

Nominal Defendant.

Case No.: A-13-686775-B  
Dept. No.: XI

**ORDER GRANTING MOTION TO  
ASSOCIATE COUNSEL ON AN ORDER  
SHORTENING TIME**

Hearing Date: September 10, 2013  
Hearing Time: 8:30 a.m.

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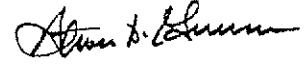
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JEREMY FRIEDMAN, ESQ. (admitted *Pro hac vice*)  
New York Bar No. 4622569  
E-mail: [jeremyf@blbglaw.com](mailto:jeremyf@blbglaw.com)  
BERNSTEIN LITOWITZ BERGER  
& GROSSMANN LLP  
1285 Avenue of the Americas  
New York, New York 10019  
Telephone: 212/554-1400  
*Attorneys for Plaintiff*

DISTRICT COURT

CLARK COUNTY, NEVADA

JACKSONVILLE POLICE AND FIRE  
PENSION FUND, derivatively on behalf of  
nominal defendant DISH NETWORK  
CORPORATION,

Plaintiff,

v.

CHARLES W. ERGEN; JOSEPH P.  
CLAYTON; JAMES DEFRANCO; CANTEY  
M. ERGEN; STEVEN R. GOODBARN; DAVID  
K. MOSKOWITZ; TOM A. ORTOLF; CARL  
E. VOGEL; DOES I-X, inclusive and ROE  
ENTITIES I-X, inclusive,

Defendants.

DISH NETWORK CORPORATION, a Nevada  
corporation,

Nominal Defendant.

Case No.: A-13-686775-B  
Dept. No.: XI

**ORDER GRANTING MOTION TO  
ASSOCIATE COUNSEL ON AN ORDER  
SHORTENING TIME**

Hearing Date: October 4, 2013  
Hearing Time: 3:00 a.m.

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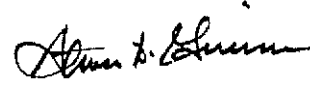
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CLERK OF THE COURT

1 OGM  
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3 Nevada Bar No. 7612  
4 E-mail: [bboschke@nevadafirm.com](mailto:bboschke@nevadafirm.com)  
5 WILLIAM N. MILLER, ESQ.  
6 Nevada Bar No. 11658  
7 E-mail: [wmiller@nevadafirm.com](mailto:wmiller@nevadafirm.com)  
8 COTTON, DRIGGS, WALCH,  
9 HOLLEY, WOLOSON & THOMPSON  
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11 Las Vegas, Nevada 89101  
12 Telephone: 702/791-0308  
13 *Liaison Counsel for Plaintiffs*

14 MARK LEOVITCH, ESQ. (admitted *Pro hac vice*)  
15 New York Bar No. 3037272  
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23 BERNSTEIN LITOWITZ BERGER  
24 & GROSSMANN LLP  
25 1285 Avenue of the Americas  
26 New York, New York 10019  
27 Telephone: 212/554-1400  
28 *Lead Counsel for Plaintiffs*

DISTRICT COURT  
CLARK COUNTY, NEVADA

IN RE DISH NETWORK CORPORATION  
DERIVATIVE LITIGATION

Case No: A-13-686775-B  
Dept. No.: XI

**ORDER GRANTING MOTION TO  
ASSOCIATE COUNSEL**

Hearing Date: January 24, 2014  
Hearing Time: 3:00 a.m.

Plaintiff Jacksonville Police and Fire Pension Fund ("Plaintiff") having filed a Motion to Associate Counsel for Adam David Hollander, Esq. (the "Motion"), the Motion having come before this Court for hearing on January 24, 2014 at 3:00 a.m., the parties being represented by their respective counsel, the Court having fully considered the Motion and the pleadings and papers on file herein, the Court having concluded that service of the Motion has been provided

1 and that no opposition to the Motion has been filed and thus pursuant to EDCR 2.20(e), the  
2 Motion is deemed unopposed, therefore and good cause appearing:

3 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Motion is  
4 GRANTED in its entirety;

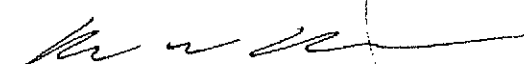
5 **IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED** that Adam  
6 David Hollander, Esq. will be admitted to practice in this Court for the purpose of this case only,  
7 pursuant to Nevada Supreme Court Rule 42 (SCR 42).

8 **IT IS SO ORDERED** this 31 day of January, 2014.

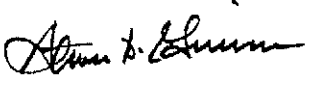
9  
10   
11 DISTRICT COURT JUDGE  
12 KK

12 Respectfully submitted by:

13 **COTTON, DRIGGS, WALCH,**  
14 **HOLLEY, WOLOSON & THOMPSON**

15   
16 BRIAN W. BOSCH, ESQ. (NBN 7612)  
17 WILLIAM N. MILLER, ESQ. (NBN 11658)  
18 400 South Fourth Street, Third Floor  
Las Vegas, Nevada 89101  
*Liaison Counsel for Plaintiffs*

19 MARK LEBOVITCH, ESQ.  
20 New York Bar No. 3037272  
21 JEROEN VAN KWAWEGEN, ESQ.  
22 New York Bar No. 4228698  
23 JEREMY FRIEDMAN, ESQ.  
24 New York Bar No. 4622569  
**BERNSTEIN LITOWITZ BERGER**  
**& GROSSMANN LLP**  
1285 Avenue of the Americas  
New York, New York 10019  
*Lead Counsel for Plaintiffs*



CLERK OF THE COURT

1 OGM  
2 Joshua H. Reisman, Esq.  
3 Nevada Bar No. 7152  
4 Robert R. Warns III, Esq.  
5 Nevada Bar No. 12123  
6 REISMAN-SOROKAC  
7 8965 South Eastern Avenue, Suite 382  
8 Las Vegas, Nevada 89123  
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10 Facsimile: (702) 446-6756  
11 Email: jreisman@rsnvlaw.com  
12 Email: rwarns@rsnvlaw.com  
13 Attorneys for Charles W. Ergen

8 DISTRICT COURT  
9 CLARK COUNTY, NEVADA

10 JACKSONVILLE POLICE AND FIRE  
11 PENSION FUND, derivatively on behalf of  
12 nominal defendant DISH NETWORK  
13 CORPORATION,

13 Plaintiff,

14 v.

15 CHARLES W. ERGEN; JOSEPH P.  
16 CLAYTON; JAMES DEFRANCO; CANTEY  
17 M. ERGEN; STEVEN R. GOODBARN; DAVID  
18 K. MOSKOWITZ; TOM A. ORTOLF; CARL E.  
19 VOGEL; DOES I-X, inclusive and ROE  
20 ENTITIES I-X, inclusive,

18 Defendants.

19 DISH NETWORK CORPORATION, a Nevada  
20 corporation,

21 Nominal Defendant.

Case No.: A-13-686775-B  
Dept. No.: XI

ORDER GRANTING DEFENDANT  
CHARLES W. ERGEN'S MOTION TO  
ASSOCIATE COUNSEL ON AN ORDER  
SHORTENING TIME

Hearing Date: September 19, 2013  
Hearing Time: 8:30 a.m.

22 Defendant Charles W. Ergen ("Mr. Ergen") having filed a Motion to Associate Counsel for  
23 the admission of James C. Dugan, Esq., Tariq Mundiya, Esq., and Mary K. Warren, Esq., to  
24 practice in this case only (the "Motion"), the Motion having come before this Court for hearing on  
25 September 19, 2013, at 8:30 a.m., the parties being represented by their respective counsel, the  
26 Court having fully considered the Motion and the pleadings and papers on file herein, the  
27 arguments set forth by appearing counsel at the aforementioned hearing, and good cause  
28 appearing:

REISMAN-SOROKAC  
8965 SOUTH EASTERN AVENUE, SUITE 382  
LAS VEGAS, NEVADA 89123  
PHONE: (702) 727-6258 FAX: (702) 446-6756

REISMAN-SOROKAC  
8965 SOUTH EASTERN AVENUE, SUITE 382  
LAS VEGAS, NEVADA 89123  
PHONE: (702) 727-6258 FAX: (702) 446-6756

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion is  
2 GRANTED in its entirety;

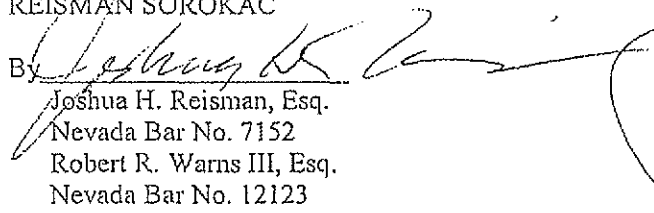
3 IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that James C.  
4 Dugan, Esq., Tariq Mundiya, Esq., and Mary K. Warren, Esq., will be admitted to practice in this  
5 Court for the purpose of this case only, pursuant to Nevada Supreme Court Rule 42 (SCR 42).

6 IT IS SO ORDERED this 19<sup>th</sup> day of SEPTEMBER, 2013.

7   
8 DISTRICT COURT JUDGE

9 Respectfully submitted by:

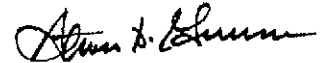
10 REISMAN-SOROKAC

11 By   
12 Joshua H. Reisman, Esq.  
13 Nevada Bar No. 7152  
14 Robert R. Warns III, Esq.  
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21 Email: [rwarns@rsnvlaw.com](mailto:rwarns@rsnvlaw.com)

22 WILLKIE FARR & GALLAGHER LLP  
23 James C. Dugan, Esq.  
24 Tariq Mundiya, Esq.  
25 Mary Warren (*pro hac vice* forthcoming)  
26 Sameer Advani (*pro hac vice* forthcoming)  
27 787 Seventh Avenue  
28 New York, New York 10019  
Telephone: (212) 728-8000  
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Email: [tmundiya@willkie.com](mailto:tmundiya@willkie.com)  
Email: [mwarren@willkie.com](mailto:mwarren@willkie.com)  
Email: [sadvani@willkie.com](mailto:sadvani@willkie.com)

*Attorneys for Charles W. Ergen*





CLERK OF THE COURT

1 **ORDR**  
2 KIRK B. LENHARD, ESQ.  
3 Nevada Bar No. 1437  
4 JEFFREY S. RUGG, ESQ.  
5 Nevada Bar No. 10978  
6 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
7 100 North City Parkway, Suite 1600  
8 Las Vegas, Nevada 89106-4614  
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11 Email: klenhard@bhfs.com  
12 Email: jrugg@bhfs.com

13 *Attorneys for Defendants JOSEPH P. CLAYTON;*  
14 *JAMES DEFRANCO; CANTEY M. ERGEN; STEVEN*  
15 *R. GOODBARD; DAVID K. MOSKOWITZ; TOM A.*  
16 *ORTOLF; CARL E. VOGEL and Nominal Defendant*  
17 *DISH NETWORK CORPORATION*

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 JACKSONVILLE POLICE AND FIRE  
21 PENSION FUND, derivatively on behalf of  
22 nominal defendant DISH NETWORK  
23 CORPORATION,

24 **Plaintiffs,**

25 **vs.**

26 CHARLES W. ERGEN; JOSEPH P.  
27 CLAYTON; JAMES DEFRANCO;  
28 CANTEY M. ERGEN; STEVEN R.  
GOODBARD; DAVID K. MOSKOWITZ;  
TOM A. ORTOLF; CARL E. VOGEL;  
DOES I-X, inclusive and ROE ENTITIES  
I-X, inclusive,

**Defendants.**

DISH NETWORK CORPORATION, a  
Nevada corporation,

**Nominal Defendant.**

Case No.: A-13-686775-B

Dept. No.: XI

**ORDER GRANTING MOTION TO  
ASSOCIATE COUNSEL**

Hearing Date: November 1, 2013

Hearing Time: In Chambers

Defendants JOSEPH P. CLAYTON; JAMES DEFRANCO; CANTEY M. ERGEN;  
STEVEN R. GOODBARD; DAVID K. MOSKOWITZ; TOM A. ORTOLF; CARL E. VOGEL

1 and Nominal Defendant DISH NETWORK CORPORATION, having filed their Motion to  
2 Associate Brian T. Frawley, Esq., as Counsel, under Nevada Supreme Court Rule 42, together  
3 with a Verified Application for Association of Counsel, Certificate of Good Standing for the State  
4 of New York, and the State Bar of Nevada Statement; said application having been noticed, no  
5 objections having been made, and the Court being fully apprised in the premises, and good cause  
6 appearing, it is hereby ORDERED that said application is hereby GRANTED, and Brian T.  
7 Frawley, Esq., is admitted to practice in the above-entitled Court for the purposes of the above-  
8 entitled matter. *no objection having been made in open*  
9 *court on 9/19/13*

10 DATED this 23 day of September, 2013.

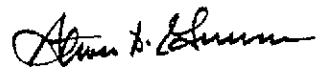
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13 DISTRICT COURT JUDGE

14 Submitted by:

15  
16  
17 BROWNSTEIN HYATT FARBER SCHRECK, LLP

18  
19 By: /s/ Jeffrey S. Rugg  
20 KIRK B. LENHARD, ESQ.  
21 Nevada Bar No. 1437  
22 JEFFREY S. RUGG, ESQ.  
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Email: [klenhard@bhfs.com](mailto:klenhard@bhfs.com)

*Attorneys for Defendants JOSEPH P. CLAYTON;  
JAMES DEFRANCO; CANTEY M. ERGEN; STEVEN R.  
GOODBARD; DAVID K. MOSKOWITZ; TOM A.  
ORTOLF; CARL E. VOGEL and Nominal Defendant  
DISH NETWORK CORPORATION*



CLERK OF THE COURT

1 **ORD**  
2 J. Stephen Peek  
3 Nevada Bar No. 1758  
4 Robert J. Cassity  
5 Nevada Bar No. 9779  
6 HOLLAND & HART LLP  
7 9555 Hillwood Drive, 2nd Floor  
8 Las Vegas, NV 89134  
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11 David C. McBride  
12 Robert S. Brady  
13 C. Barr Flinn  
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15 Rodney Square  
16 1000 North King Street  
17 Wilmington, DE 19801  
18 Phone: (302) 571-6600  
19 Fax: (302) 571-1253

20 *Attorneys for the Special Litigation Committee*  
21 *of Dish Network Corporation*

22 **DISTRICT COURT**

23 **CLARK COUNTY, NEVADA**

24 JACKSONVILLE POLICE AND FIRE  
25 PENSION FUND, derivatively on behalf of  
26 nominal defendant DISH NETWORK  
27 CORPORATION,

28 Plaintiff,

v.

CHARLES W. ERGEN; JOSEPH P.  
CLAYTON; JAMES DEFRANCO;  
CANTEY M. ERGEN; STEVEN R.  
GOODBARN; DAVID K. MOSKOWITZ;  
TOM A. ORTOLF; CARL E. VOGEL;  
DOES I-X, inclusive and ROE ENTITIES I-  
X, inclusive,

Defendants.

DISH NETWORK CORPORATION, a  
Nevada corporation,

Nominal Defendant.

Case No. A-13-686775-B  
Dept. No. XI

**ORDER GRANTING MOTIONS TO  
ASSOCIATE COUNSEL**

HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

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9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

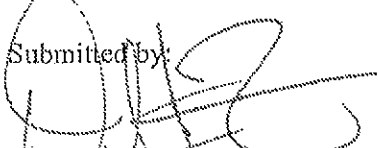
1 C. Barr Flinn, Esq., David C. McBride, Esq. and Robert S. Brady, Esq. of the law firm of  
2 Young, Conway, Stargatt & Taylor, LLP, having filed their Motions to Associate Counsel  
3 pursuant to Supreme Court Rule 42, together with their Verified Applications for Association of  
4 Counsel, Certificates of Good Standing, and the State Bar of Nevada Statements, said  
5 applications having been noticed, no objections having been made, and the Court being fully  
6 apprised, and good cause appearing,

7 IT IS HEREBY ORDERED AND DECREED that said Motions to Associate Counsel  
8 are granted and that C. Barr Flinn, Esq., David C. McBride, Esq. and Robert S. Brady, Esq. are  
9 hereby admitted to practice in the above-entitled court for the purposes of the above-entitled  
10 matter only.

11 DATED December 3, 2013 . 2013.

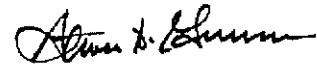
12  
13   
DISTRICT COURT JUDGE

14 Submitted by:

15   
16 J. Stephen Peck, Esq.  
17 Robert J. Cassity, Esq.  
18 Holland & Hart LLP  
19 9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134

20 David C. McBride  
21 Robert S. Brady  
22 C. Barr Flinn  
23 YOUNG, CONWAY, STARGATT & TAYLOR, LLP  
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1000 North King Street  
Wilmington, DE 19801

24 *Attorneys for the Special Litigation Committee*  
25 *of Dish Network Corporation*  
26  
27  
28



CLERK OF THE COURT

**ORDR**

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Nevada Bar No. 1758  
Robert J. Cassity  
Nevada Bar No. 9779  
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9555 Hillwood Drive, 2nd Floor  
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Holly Stein Sollod (*pro hac vice*)  
HOLLAND & HART LLP  
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Denver, CO 80202  
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Fax: (303) 975-5395

David C. McBride (*pro hac vice*)  
Robert S. Brady (*pro hac vice*)  
C. Bart Flinn (*pro hac vice*)  
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*Attorneys for the Special Litigation Committee  
of Dish Network Corporation*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN RE DISH NETWORK CORPORATION  
DERIVATIVE LITIGATION

Case No. A-13-686775-B  
Dept. No. XI

*Consolidated with A688882*

**ORDER GRANTING MOTION TO  
ASSOCIATE EMILY V. BURTON AS  
COUNSEL**

This matter having come before the Court on The Special Litigation Committee of DISH Network Corporation's Motion to Associate Emily V. Burton (the "Motion"), no opposition having been filed, and good cause appearing therefor:

IT IS HEREBY ORDERED that the Motion is granted, and attorney Emily V. Burton is permitted to practice in this Court for purposes of this case only, pursuant to Nevada Supreme

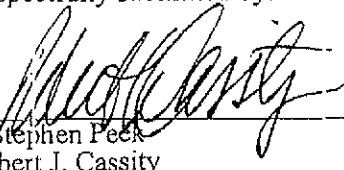
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

1 Court Rule 42.

2 DATED this 25<sup>th</sup> day of March 2015

3  
4   
DISTRICT COURT JUDGE 

5 Respectfully submitted by:

6   
7  
8 J. Stephen Peck  
Robert J. Cassity  
HOLLAND & HART LLP  
9 9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

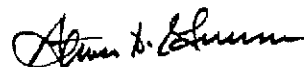
10 Holly Stein Sollod (*pro hac vice*)  
11 HOLLAND & HART LLP  
555 17th Street Suite 3200  
12 Denver, CO 80202

13 David C. McBride  
Robert S. Brady  
14 C. Barr Flinn  
YOUNG, CONAWAY, STARGATT & TAYLOR, LLP  
15 Rodney Square  
1000 North King Street  
16 Wilmington, DE 19801

17 *Attorneys for the Special Litigation Committee*  
18 *of Dish Network Corporation*  
19  
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1 **ORDG**

2 J. Stephen Peek

3 Nevada Bar No. 1758

4 Robert J. Cassity

5 Nevada Bar No. 9779

6 HOLLAND & HART LLP

7 9555 Hillwood Drive, 2nd Floor

8 Las Vegas, NV 89134

9 Phone: (702) 669-4600

10 Fax: (702) 669-4650

11 David C. McBride

12 Robert S. Brady

13 C. Barr Flinn

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15 Rodney Square

16 1000 North King Street

17 Wilmington, DE 19801

18 Phone: (302) 571-6600

19 Fax: (302) 571-1253

20 *Attorneys for the Special Litigation Committee*  
21 *of Dish Network Corporation*

22 **DISTRICT COURT**

23 **CLARK COUNTY, NEVADA**

24 JACKSONVILLE POLICE AND FIRE  
25 PENSION FUND, derivatively on behalf of  
26 nominal defendant DISH NETWORK  
27 CORPORATION,

28 Plaintiff,

v.

CHARLES W. ERGEN; JOSEPH P.  
CLAYTON; JAMES DEFRANCO;  
CANTEY M. ERGEN; STEVEN R.  
GOODBARN; DAVID K. MOSKOWITZ;  
TOM A. ORTOLF; CARL E. VOGEL;  
DOES I-X, inclusive and ROE ENTITIES I-  
X, inclusive,

Defendants.

DISH NETWORK CORPORATION, a  
Nevada corporation,

Nominal Defendant.

Case No. A-13-686775-B  
Dept. No. XI

**ORDER GRANTING MOTION TO  
ASSOCIATE COUNSEL  
(HOLLY STEIN SOLLOD)**

HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

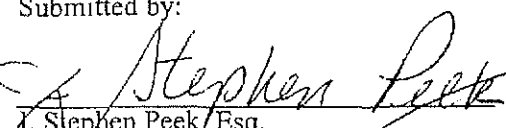
1 The Special Litigation Committee of Nominal Defendant DISH Network Corporation (the  
2 "SLC") having filed a Motion to Associate Holly Stein Sollod, Esq. of the law firm Holland &  
3 Hart, LLP as counsel for the SLC pursuant to Supreme Court Rule 42, together with a Verified  
4 Application for Association of Counsel, Certificates of Good Standing, and the State Bar of  
5 Nevada Statement, said application having been noticed, no objections having been made, and  
6 the Court being fully apprised, and good cause appearing,

7 IT IS HEREBY ORDERED that said Motion to Associate Counsel is granted and that  
8 Holly Stein Sollod, Esq. is hereby admitted to practice in the above-entitled Court for the  
9 purposes of the above-entitled matter only.

10 DATED this 19<sup>th</sup> day of December, 2013.

11   
12 DISTRICT COURT JUDGE

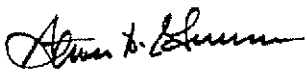
13 Submitted by:

14   
15 J. Stephen Peek, Esq.  
16 Robert J. Cassity, Esq.  
17 Holland & Hart LLP  
18 9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134

19 David C. McBride  
20 Robert S. Brady  
21 C. Barr Flinn  
22 YOUNG, CONWAY, STARGATT & TAYLOR, LLP  
Rodney Square  
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Wilmington, DE 19801

23 *Attorneys for the Special Litigation Committee*  
24 *of Dish Network Corporation*



  
CLERK OF THE COURT

ORDER

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Debra L. Spinelli, Esq., Bar No. 9695  
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Of Counsel:

Bruce R. Braun, Esq.  
Matthew L. DiRisio, Esq.  
Tyler G. Johannes, Esq.

*Attorneys for Defendants Thomas A. Cullen,  
Kyle J. Kiser and R. Stanton Dodge*

DISTRICT COURT

CLARK COUNTY, NEVADA

JACKSONVILLE POLICE AND FIRE  
PENSION FUND, derivatively on behalf of  
nominal defendant DISH NETWORK  
CORPORATION,

Plaintiff,

vs.

CHARLES W. ERGEN; GEORGE R.  
BROKAW; JAMES DEFRANCO;  
CANTEY M. ERGEN; DAVID K.  
MOSKOWITZ; CHARLES M. LILLIS;  
TOM A. ORTOLF; CARL E. VOGEL;  
THOMAS A. CULLEN; KYLE J. KISER;  
and R. STANTON DODGE,

Defendants.

DISH NETWORK CORPORATION, a  
Nevada corporation,

Nominal Defendant.

Case No.: A-13-686775  
Dept. No.: XI

ORDER GRANTING MOTIONS TO  
ASSOCIATE BRUCE R. BRAUN,  
MATTHEW L. DIRISIO, AND TYLER G.  
JOHANNES AS COUNSEL

Date of Hearing: October 24, 2014

Time of Hearing: Chambers

This matter having come before the Court on Defendants Thomas A. Cullen, Kyle J. Kiser and R. Stanton Dodge's Motions to Associate Bruce R. Braun, Matthew L. DiRisio and Tyler G. Johannes (the "Motions"), no objections having been made, and good cause appearing therefor:

PISANELLI BICE PLLC  
400 SOUTH 7TH STREET, SUITE 300  
LAS VEGAS, NEVADA 89101


1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motions are granted,  
2 and attorneys Bruce R. Braun, Matthew L. DiRisio and Tyler G. Johannes are permitted to practice  
3 in this Court for the purpose of this case only, pursuant to Nevada Supreme Court Rule 42.

4  
5 DATED: 11/3/14

6   
7 THE HONORABLE ELIZABETH GONZALEZ  
8 DISTRICT COURT JUDGE 

9  
10 Respectfully submitted:

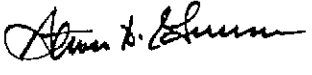
11 PISANELLI BICE PLLC

12 By:   
13 James J. Pisanelli, Esq., Bar No. 4027  
14 Debra L. Spinelli, Esq., Bar No. 9695  
15 400 South 7th Street, Suite 300  
16 Las Vegas, Nevada 89101

17 *Attorneys for Defendants Thomas A. Cullen,*  
18 *Kyle J. Kiser and R. Stanton Dodge*  
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PISANELLI BICE PLLC  
400 SOUTH 7TH STREET, SUITE 300  
LAS VEGAS, NEVADA 89101

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02/03/2015 02:36:07 PM

  
CLERK OF THE COURT

**ORDR**

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[JJP@pisanellibice.com](mailto:JJP@pisanellibice.com)  
Debra L. Spinelli, Esq., Bar No. 9695  
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Las Vegas, Nevada 89101  
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Of Counsel:  
Bruce R. Braun, Esq. (*admitted pro hac vice*)  
SIDLEY AUSTIN LLP  
One South Dearborn  
Chicago, IL 60603  
Telephone: 312.853.7050

*Attorneys for Defendants Thomas A. Cullen,  
Kyle J. Kiser and R. Stanton Dodge*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

JACKSONVILLE POLICE AND FIRE  
PENSION FUND, derivatively on behalf of  
nominal defendant DISH NETWORK  
CORPORATION,

Plaintiff,

vs.

CHARLES W. ERGEN; GEORGE R.  
BROKAW; JAMES DEFRANCO;  
CANTEY M. ERGEN; DAVID K.  
MOSKOWITZ; CHARLES M. LILLIS;  
TOM A. ORTOLF; CARL E. VOGEL;  
THOMAS A. CULLEN; KYLE J. KISER;  
and R. STANTON DODGE,

Defendants.

DISH NETWORK CORPORATION, a  
Nevada corporation,

Nominal Defendant.

Case No.: A-13-686775  
Dept. No.: XI

**ORDER GRANTING MOTION TO  
ASSOCIATE ZACHARY MADONIA  
AS COUNSEL**

Date of Hearing: January 23, 2015

Time of Hearing: Chambers

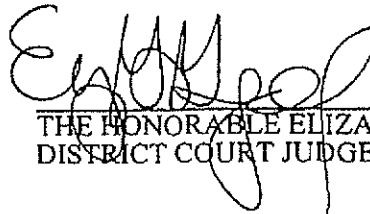
01-26-15A05:46 RCVD

PISANELLI BICE PLLC  
400 SOUTH 7TH STREET, SUITE 300  
LAS VEGAS, NEVADA 89101

1 This matter having come before the Court on Defendants Thomas A. Cullen, Kyle J. Kiser  
2 and R. Stanton Dodge's Motion to Associate Zachary Madonia (the "Motion"), no objection having  
3 been made, and good cause appearing therefor:

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is granted,  
5 and attorney Zachary Madonia is permitted to practice in this Court for the purpose of this case  
6 only, pursuant to Nevada Supreme Court Rule 42.

7  
8 DATED: FEBRUARY 2, 2015

  
THE HONORABLE ELIZABETH GONZALEZ  
DISTRICT COURT JUDGE

12 Respectfully submitted:

13 PISANELLI BICE PLLC

14  
15 By: 

16 James J. Pisanelli, Esq., Bar No. 4027  
17 Debra L. Spinelli, Esq., Bar No. 9695  
400 South 7th Street, Suite 300  
Las Vegas, Nevada 89101

18 *Attorneys for Defendants Thomas A. Cullen,*  
19 *Kyle J. Kiser and R. Stanton Dodge*

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

§  
§  
§  
§  
§  
§

Location: Department 11  
Judicial Officer: Gonzalez, Elizabeth  
Filed on: 08/09/2013  
Case Number History:  
Cross-Reference Case Number: A686775  
Supreme Court No.: 69012

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**CASE INFORMATION**

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**Related Cases**

A-13-688862-B (Consolidated)  
A-14-693887-B (Consolidated)

Case Type: **Business Court**

Case Flags: **Consolidated - Lead Case**  
**Discovery heard by Department**  
**Appealed to Supreme Court**  
**Jury Demand Filed**

**Statistical Closures**

01/12/2016 Summary Judgment

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**DATE**

**CASE ASSIGNMENT**

---

**Current Case Assignment**

Case Number	A-13-686775-B
Court	Department 11
Date Assigned	08/15/2013
Judicial Officer	Gonzalez, Elizabeth

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**PARTY INFORMATION**

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<b>Plaintiff</b>	<b>Jacksonville Police and Fire Pension Fund</b>	<b>Boschee, Brian W.</b> <i>Retained</i> 702-791-0308(W)
<b>Defendant</b>	<b>Clayton, Joseph P</b> Removed: 10/15/2015 Dismissed	
	<b>Cullen, Thomas A</b> Removed: 10/15/2015 Dismissed	
	<b>Defranco, James</b> Removed: 10/15/2015 Dismissed	
	<b>Dish Network Corporation</b> Removed: 10/15/2015 Dismissed	
	<b>Dodge, R Stanton</b> Removed: 10/15/2015 Dismissed	
	<b>Ergen, Cantey M</b> Removed: 10/15/2015 Dismissed	
	<b>Ergen, Charles W.</b>	
	<b>Goodbarn, Steven R</b> Removed: 10/08/2013 Dismissed	
	<b>Kiser, Kyle J</b> Removed: 10/15/2015	

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

Dismissed

**Moskowitz, David K**

Removed: 10/15/2015

Dismissed

**Ortolf, Tom A**











Removed: 10/15/2015

Dismissed










**Vogel, Carl E**

Removed: 10/15/2015











Dismissed

DATE	EVENTS & ORDERS OF THE COURT	INDEX
08/09/2013	 Complaint (Business Court) Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Verified Shareholder Derivative Complaint</i>	
08/09/2013	Case Opened	
08/09/2013	Discovery Heard by Department/Deemed Complex	
08/12/2013	 Errata Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Errta to Verified Shareholder Derivative Complaint</i>	
08/14/2013	 Ex Parte Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set Hearing on Motion for Preliminary Injunction on Order Shortening Time</i>	
08/15/2013	 Initial Appearance Fee Disclosure Filed By: Defendant Dish Network Corporation <i>Initial Appearance Fee Disclosure</i>	
08/15/2013	 Peremptory Challenge Filed by: Defendant Dish Network Corporation <i>Notice of Peremptory Challenge of Judge</i>	
08/15/2013	 Notice of Department Reassignment	
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>	
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>	
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>	
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>	

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>
08/22/2013	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service</i>
08/23/2013	 Stipulation and Order Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Stipulation and Order to Continue Hearing and Set Briefing Schedule on Plaintiff's Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction</i>
08/26/2013	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Stipulation and Order to Continue Hearing and Set Briefing Schedule on Plaintiff's Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction</i>
08/28/2013	 Notice of Appearance Party: Defendant Ergen, Charles W. <i>Notice of Appearance</i>
08/28/2013	 Initial Appearance Fee Disclosure Filed By: Defendant Ergen, Charles W. <i>Initial Appearance Fee Disclosure</i>
08/28/2013	 Opposition to Motion Filed By: Defendant Dish Network Corporation <i>Defendant Dish Network Corporation's Opposition to Ex Parte Motion Re Expedited Discovery</i>
08/28/2013	 Joinder Filed By: Defendant Ergen, Charles W. <i>Director Defendants' Joinder in Portions of Defendant Dish Network Corporation's Opposition to Ex Parte Motion Re Expedited Discovery</i>
08/28/2013	 Opposition to Motion Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Opposition to Ex Parte Motion Re Expedited Discovery</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

09/04/2013	 Motion to Associate Counsel Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion to Associate Counsel on an Order Shortening Time</i>
09/05/2013	 Reply in Support Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Reply in Support of Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction on Order Shortening Time</i>
09/09/2013	 Notice of Appearance Party: Defendant Goodbarn, Steven R <i>Notice of Appearance</i>
09/09/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/09/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/09/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/09/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/10/2013	<b>Preliminary Injunction Hearing (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <b>09/10/2013, 09/19/2013, 10/04/2013</b> <i>Plaintiff's Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction on Order Shortening Time</i> <i>08/22/2013 Continued to 08/27/2013 - Peremptory Challenge - Clayton, Joseph P; DeFranco, James; Ergen, Cantey M; Goodbarn, Steven R; Moskowitz, David K; Ortolfo, Tom A; Vogel, Carl E; Dish Network Corporation</i>
09/10/2013	<b>Motion for Order to Show Cause (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <b>09/10/2013, 09/19/2013, 10/04/2013</b> <i>Stipulation and Order to Continue Hearing and Set Briefing Schedule on Plaintiff's Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction</i>
09/10/2013	<b>Motion to Associate Counsel (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) Events: 09/04/2013 Motion to Associate Counsel <i>Motion to Associate Counsel on an Order Shortening Time</i>
09/10/2013	 <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)
09/10/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/11/2013	 Order Admitting to Practice Filed By: Plaintiff Jacksonville Police and Fire Pension Fund




DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

*Order Granting Motion To Associate Counsel Mark Lebovitch Esq and Jeremy S Friedman Esq On An Order Shortening Time*















09/12/2013	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Order Granting Motion to Associate Counsel on an Order Shortening Time</i>
09/12/2013	 Amended Complaint Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Verified Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund Pursuant to the Nevada Rules of Civil Procedure Rule 23.1</i>
09/13/2013	 Motion for Preliminary Injunction Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion for Preliminary Injunction and for Discovery on an Order Shortening Time</i>
09/13/2013	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix in Support of Motion for Preliminary Injunction and for Discovery on Order Shortening Time</i>
09/16/2013	 Motion to Associate Counsel Filed By: Defendant Goodbarn, Steven R <i>Motion To Associate Counsel Gregory A Markel Esq and Martin L Seidel Esq On An Order Shortening Time</i>
09/16/2013	 Motion to Associate Counsel Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Motion to Associate Counsel, and Ex Parte Motion for an Order Shortening Time</i>
09/17/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/17/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/17/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/17/2013	 Receipt of Copy Filed by: Defendant Ergen, Charles W. <i>Receipt of Copy</i>
09/18/2013	 Motion to Dismiss Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Motion to Dismiss the Amended Derivative Complaint</i>
09/18/2013	 Opposition to Motion Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Opposition to Plaintiff's Motion for Preliminary Injunction and for Discovery on an Order Shortening Time and Supplemental Opposition to Ex Parte Motion</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

*re Expedited Discovery Bawsed on Amended Derivative Complaint*













09/18/2013	 Opposition to Motion Filed By: Defendant Dish Network Corporation <i>Defendant Dish Network Corporation's Supplemental Opposition to Ex Parte Motion re Expedited Discovery Based on Amended Derivative Complaint</i>
09/18/2013	 Certificate of Mailing Filed By: Defendant Clayton, Joseph P <i>Certificate of Service of Defendant Dish Network Corporation's Supplemental Opposition to Ex Parte Motion Re: Expedited Discovery Based on Amended Derivative Complaint</i>
09/18/2013	 Receipt of Copy Filed by: Defendant Ergen, Charles W. <i>Receipt of Copy</i>
09/18/2013	 Motion to Dismiss Filed By: Defendant Goodbarn, Steven R <i>Defendant Steven R. Goodbarn's Motion to Dismiss the Amended Complaint Pursuant to Nev.R.Civ.P. 12(b)(5)</i>
09/18/2013	 Response Filed by: Defendant Goodbarn, Steven R <i>Defendant Steven R. Goodbarn's Supplemental Response to Plaintiff's Motion for Expedited Discovery</i>
09/19/2013	 Receipt of Copy Filed by: Defendant Ergen, Charles W. <i>Receipt of Copy</i>
09/19/2013	<b>Status Check (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <b>09/19/2013, 10/04/2013</b> <i>Status Check: Requested Discovery</i>
09/19/2013	<b>Motion to Associate Counsel (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) Events: 09/16/2013 Motion to Associate Counsel <i>Motion To Associate Counsel On An Order Shortening Time (Gregory Markel, Esq. and Martin Seidel, Esq.)</i>
09/19/2013	<b>Motion for Preliminary Injunction (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <b>09/19/2013, 10/04/2013</b> <i>Motion for Preliminary Injunction and for Discovery on an Order Shortening Time</i>
09/19/2013	 <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)
09/19/2013	<b>Motion to Associate Counsel (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant Charles W. Ergen's Motion to Associate Counsel and Ex Parte Motion for an Order Shortening Time (James Dugan, Esq.; Tariq Mundiya, Esq.; Mary K. Warren, Esq.)</i>
09/19/2013	 Motion to Associate Counsel Filed By: Defendant Clayton, Joseph P <i>Motion to Associate Counsel (Brian T Frawley Esq)</i>
09/20/2013	 Disclosure Statement Party: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's NRCP 7.1 Disclosure Statement</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

09/24/2013	 Order Granting Motion Filed By: Defendant Ergen, Charles W. <i>Order Granting Defendant Charles W. Ergen's Motion to Associate Counsel on an Order Shortening Time</i>
09/24/2013	 Motion to Associate Counsel Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion to Associate Counsel (Jeroen Van Kwawegen Esq) on an Order Shortening Time</i>
09/25/2013	 Reporters Transcript <i>Transcript of Proceedings - Hearing on Motion for Expedited Discovery - 9/19/2013</i>
09/25/2013	 Receipt of Copy Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Receipt of Copy</i>
09/25/2013	 Notice of Entry Filed By: Defendant Ergen, Charles W. <i>Notice of Entry of Order</i>
09/25/2013	 Order Admitting to Practice Filed By: Defendant Clayton, Joseph P <i>Order Granting Motion to Associate Counsel (Brian T Frawley Esq)</i>
09/26/2013	 Notice of Entry of Order Filed By: Defendant Clayton, Joseph P <i>Notice of Entry of Order</i>
10/02/2013	 Order Admitting to Practice Filed By: Defendant Goodbarn, Steven R <i>Order Granting Motion to Associate Counsel (Dugan, Mundiya, Warren)</i>
10/03/2013	 Status Report Filed By: Defendant Dish Network Corporation <i>Status Report</i>
10/03/2013	 Status Report Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Status Report</i>
10/03/2013	 Status Report Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Status Report</i>
10/03/2013	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix of Exhibits to Status Report</i>
10/03/2013	 Status Report Filed By: Defendant Dish Network Corporation <i>Status Report</i>
10/03/2013	 Notice of Entry of Order Filed By: Defendant Goodbarn, Steven R

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

*Notice of Entry of Order Granting Motion to Associate Counsel on an Order Shortening Time*

10/04/2013	 Certificate of Mailing Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Certificate of Mailing</i>
10/04/2013	<b>Status Check (3:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)
10/04/2013	 <b>Motion to Associate Counsel (3:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) Events: 09/24/2013 Motion to Associate Counsel <i>Motion to Associate Counsel on an Order Shortening Time (van Kwawegen)</i>
10/04/2013	 <b>All Pending Motions (3:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)
10/07/2013	 Reporters Transcript <i>Transcript Of Proceedings Hearing of Motions 9/10/13</i>
10/08/2013	 Stipulation and Order for Dismissal Without Prejudice Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Stipulation and Order for Dismissal Without Prejudice for Defendant Steven R. Goodbarn</i>
10/08/2013	 Stipulation and Order Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Stipulation and Order to Consolidate</i>
10/08/2013	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Stipulation and Order for Dismissal Without Prejudice for Defendant Steven R. Goodbarn</i>
10/08/2013	<b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Gonzalez, Elizabeth) Debtors: Steven R Goodbarn (Defendant) Creditors: Jacksonville Police and Fire Pension Fund (Plaintiff) Judgment: 10/08/2013, Docketed: 10/09/2013
10/09/2013	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Stipulation and Order to Consolidate</i>
10/09/2013	 Order Granting Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Order Granting Motion to Associate Counsel on an Order Shortening Time</i>
10/10/2013	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Order Granting Motion to Associate Counsel on an Order Shortening Time</i>
10/15/2013	 Order Granting Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Order Granting, In Part, Plaintiff's Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction on Order Shortening Time and Plaintiff's Motion for Preliminary Injunction and for Discovery on an Order Shortening Time</i>
10/16/2013	 Notice of Entry of Order

**CASE SUMMARY****CASE NO. A-13-686775-B**

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Notice of Entry of Order Granting, in Part, Plaintiff's Ex Parte Motion for Order to Show Cause and Motion to (1) Expedite Discovery and (2) Set a Hearing on Motion for Preliminary Injunction on Order Shortening Time and Plaintiff's Motion for Preliminary Injunction and For Discovery on an Order Shortening Time*

10/18/2013

**Motion to Seal/Redact Records**

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Plaintiff's Notice of Motion and Motion to Seal Motion to Compel Production on an Order Shortening Time*

10/18/2013

**Telephonic Conference (1:15 PM)** (Judicial Officer: Gonzalez, Elizabeth)

10/18/2013

**Stipulation and Order**

Filed by: Defendant Ergen, Charles W.  
*Stipulation and Order Regarding Defendant Charles W. Ergen's Motion to Dismiss the Amended Derivative Complaint*

10/21/2013

**Notice of Entry**

Filed By: Defendant Ergen, Charles W.  
*Notice of Entry of Order*

10/21/2013

**Filed Under Seal**

Filed By: Defendant Dish Network Corporation  
*Plaintiff's Motion to Compel Production on an Order Shortening Time*

10/21/2013

**Stipulation and Order**

Filed by: Defendant Clayton, Joseph P; Defendant Defranco, James; Defendant Ergen, Cantey M; Defendant Moskowitz, David K; Defendant Vogel, Carl E; Defendant Dish Network Corporation  
*Stipulated Confidentiality Agreement and Protective Order*

10/22/2013

**CANCELLED Motion to Dismiss (8:30 AM)** (Judicial Officer: Gonzalez, Elizabeth)

*Vacated - per Law Clerk*  
*Defendant Steven R. Goodbarn's Motion to Dismiss the Amended Complaint Pursuant to Nev.R.Civ.P. 12(b)(5)*

10/22/2013

**Receipt of Copy**

Filed by: Plaintiff Jacksonville Police and Fire Pension Fund  
*Receipt of Copy*

10/22/2013

**Filed Under Seal**

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Plaintiff's Supplement To Motion to Compel Production On An Order Shortening Time*

10/22/2013

**Filed Under Seal**

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Plaintiff's Appendix of Exhibits To Supplement to Motion To Compel Production On An Order Shortening Time*

10/23/2013











**Motion for Order**

Filed By: Defendant Dish Network Corporation  
*Dish Network Corporation's Motion for Order Permitting filing under Seal Opposition to Motion to Compel Production*

10/23/2013

**Motion**

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

	Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Motion for Order Permitting Filing Under Seal Defendant Charles W. Ergen's Opposition to Plaintiff's Motion to Compel Production</i>
10/23/2013	 Notice of Entry Filed By: Defendant Clayton, Joseph P <i>Notice of Entry of Stipulated Confidentiality Agreement and Protective Order</i>
10/23/2013	 <b>Telephonic Conference</b> (2:30 PM) (Judicial Officer: Gonzalez, Elizabeth)
10/23/2013	 Filed Under Seal <i>Opposition to Motion to Compel Production</i>
10/24/2013	 Change of Status Filed By: Defendant Ergen, Charles W. <i>Certificate of Service</i>
10/24/2013	 Filed Under Seal Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Opposition to Plaintiff's Motion to Compel Production on an Order Shortening Time</i>
10/28/2013	<b>Motion to Seal/Redact Records</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Notice of Motion and Motion to Seal Motion to Compel Production on an Order Shortening Time</i>
10/28/2013	<b>Argument</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/28/2013	<b>Motion to Compel</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Compel Production on and Order Shortening Time</i>
10/28/2013	<b>Motion</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Dish Network Corporation's Motion for Order Permitting filing under Seal Opposition to Motion to Compel Production</i>
10/28/2013	<b>Motion to Seal/Redact Records</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant Charles W. Ergen's Motion for Order Permitting Filing Under Seal Defendant Charles W. Ergen's Opposition to Plaintiff's Motion to Compel Production</i>
10/28/2013	 <b>All Pending Motions</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/30/2013	 Opposition Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Opposition to Defendants' Request to cancel Discovery and the November 12, 2013 Injunction Hearing</i>
10/30/2013	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix of Exhibits to Plaintiff's Opposition to Defendants' Request to Cancel Discovery and the November 12, 2013 Injunction Hearing</i>
10/30/2013	 <b>Telephonic Conference</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/30/2013	 Motion for Protective Order Filed By: Defendant Clayton, Joseph P <i>Nominal Defendant Dish Network Corporation and Director Defendants' Motion for NRCP 60</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

*(b) Relief and Protective Order on Order Shortening Time*

10/31/2013



Supplemental

Filed by: Plaintiff Jacksonville Police and Fire Pension Fund  
*Plaintiff's Supplemental Response to Nominal Defendant Dish Network Corporation and Director Defendants' Motion for Protective Order on Order Shortening Time*

10/31/2013



Appendix

Filed By: Defendant Dish Network Corporation  
*Appendix of Exhibits to Plaintiff's Supplemental Response to Nominal Defendant Dish Network Corporation and Director Defendants' Motion for NRCP 60(B)a Relief and Protective Order on Order Shortening Time*

10/31/2013



**Decision** (4:30 PM) (Judicial Officer: Gonzalez, Elizabeth)

*Decision, re: Motion to Compel Production on an Order Shortening Time*

11/01/2013

**CANCELED Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Vacated*

*Motion to Associate*

11/01/2013



**Motion for Relief** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Nominal Defendant Dish Network Corporation and Director Defendants' Motion for NRCP 60 (b) Relief and Protective Order on Order Shortening Time*

11/07/2013



Reporters Transcript

*Transcript of Proceedings: Hearing on Nominal Defendant Dish Network's and Director Defendants' Motion for NRCP 6(b) Relief 11-1-13*

11/13/2013



Motion to Seal/Redact Records

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Supplement to Motion for Preliminary Injunction and Seal Appendix of Exhibits to Plaintiff's Supplement to Motion for Preliminary Injunction*

11/13/2013



Supplement

Filed by: Plaintiff Jacksonville Police and Fire Pension Fund  
*Plaintiff's Supplement to Motion for Preliminary Injunction*

11/13/2013



Appendix

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Appendix of Exhibits to Plaintiff's Supplement to Motion for Preliminary Injunction*

11/13/2013



Filed Under Seal

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Appendix of Exhibits to Plaintiff's Supplement To Motion For Preliminary Injunction Volume 1 - Part 1*

11/13/2013



Filed Under Seal

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Appendix of Exhibits to Plaintiff's Supplement To Motion For Preliminary Injunction Volume 1 - Part 2*

11/13/2013



Filed Under Seal

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Appendix of Exhibits to Plaintiff's Supplement To Motion For Preliminary Injunction Volume 1 - Part 3*

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**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

11/14/2013	 Motion to Associate Counsel Filed By: Defendant Dish Network Corporation <i>Motion to Associate Counsel (David McBride)</i>
11/14/2013	 Motion to Associate Counsel Filed By: Defendant Dish Network Corporation <i>Motion to Associate Counsel (Robert Brady)</i>
11/14/2013	 Stipulation and Order Filed by: Defendant Clayton, Joseph P <i>Stipulation and Order to Amend Briefing Schedule</i>
11/14/2013	 Motion to Associate Counsel Filed By: Defendant Dish Network Corporation <i>Motion to Associate Counsel (Comrie Barr P'linn)</i>
11/15/2013	 Receipt of Copy Filed by: Defendant Dish Network Corporation <i>Receipt of Copy</i>
11/15/2013	 Notice of Entry Filed By: Defendant Clayton, Joseph P <i>Notice of Entry of Stipulation and Order to Amend Briefing Schedule</i>
11/18/2013	 Supplemental Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Supplement to Its Supplement to Motion for Preliminary Injunction</i>
11/18/2013	 Ex Parte Application Party: Defendant Dish Network Corporation <i>Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee's Report Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/19/2013	 Motion Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Motion for Order Permitting Redaction of his Opposition to Plaintiff's Supplement to Motion for Preliminary Injunction, and Filing Under Seal the Appendix of Exhibits Thereto</i>
11/19/2013	 Opposition Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Opposition to Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee Report Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/20/2013	 Notice of Entry Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee's Report Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/20/2013	 Motion for Order Filed By: Defendant Clayton, Joseph P <i>Defendants Clayton, DeFranco, Moskowitz, Cantey Ergen and Vogel's Motion for Order to Redact Supplemental Brief in Opposition to Plaintiff's Motion for Preliminary Injunction and</i>



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*Filing Under Seal of Exhibits Attached Thereto*

11/20/2013	 Opposition Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Opposition to Plaintiff's Supplement to Motion for Preliminary Injunction (Redacted)</i>
11/20/2013	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix of Exhibits to Defendant Charles W. Ergen's Opposition to Plaintiff's Supplement to Motion for Preliminary Injunction</i>
11/20/2013	 Supplement to Opposition Filed By: Defendant Clayton, Joseph P <i>Defendants Clayton, DeFranco, Moskowitz, Cantey Ergen and Vogel's Supplemental Brief in Opposition to Plaintiff's Motion for Preliminary Injunction (Redacted and Filed Under Seal)</i>
11/20/2013	 Motion Filed By: Defendant Dish Network Corporation <i>Motion to Unseal Plaintiff's Supplement to Motion for Preliminary Injunction and Appendix of Exhibits to Motion for Preliminary Injunction on an Order Shortening Time</i>
11/20/2013	 Order Filed By: Defendant Dish Network Corporation <i>Order Granting Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee's Report Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/20/2013	 Motion to Seal/Redact Records Filed By: Defendant Dish Network Corporation <i>Motion to Redact Portions of the Special Litigation Committee's Report Regarding Plaintiff's Motion for Preliminary Injunction and to Seal Certain Exhibits Attached Thereto</i>
11/20/2013	 Brief Filed By: Defendant Dish Network Corporation <i>Report of the Special Litigation Committee of Dish Network Corporation Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/20/2013	Filed Under Seal Filed By: Defendant Ergen, Charles W. <i>Defendants Charles W Ergen's Opposition To Plaintiff's Supplement To Motion For Preliminary Injunction</i>
11/20/2013	 Filed Under Seal Filed By: Defendant Ergen, Charles W. <i>Appendix Of Exhibit To Defendants Charles W Ergen's Opposition To Plaintiff's Supplemental To Motion For Preliminary Injunction</i>
11/20/2013	 Notice of Motion Filed By: Defendant Dish Network Corporation <i>Notice of Motion to Associate Counsel (Robert S. Brady)</i>
11/20/2013	 Notice of Motion Filed By: Defendant Dish Network Corporation <i>Notice of Motion to Associate Counsel (Comrie Barr Flinn)</i>
11/20/2013	 Notice of Motion

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**CASE SUMMARY**  
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	Filed By: Defendant Dish Network Corporation <i>Notice of Motion to Associate Counsel (David C. McBride)</i>
11/21/2013	 Certificate of Service Filed by: Defendant Clayton, Joseph P <i>Certificate of Service of Notice of Motion for Defendants Clayton, Defranco, Moskowitz, Cantey Ergen and Vogel's Motion for Order to Redact Supplemental Brief in Opposition to Plaintiff's Motion for Preliminary Injunction and Filing Under Seal of Exhibits Attached Thereto</i>
11/21/2013	 Errata Filed By: Defendant Dish Network Corporation <i>Errata to Report to the Special Litigation Committee of Dish Network Corporation Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/21/2013	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix in Support of Report of the Special Litigation Committee of Dish network Corporation Regarding Plaintiff's Motion for Preliminary Injunction (Select Exhibits Filed Under Seal)</i>
11/21/2013	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix In Support of Report of the Special Litigation Committee of Dish Network Corporation Regarding Plaintiff's Motion for Preliminary Injunction (Select Exhibits Filed Under Seal). Exhibits 24-46</i>
11/21/2013	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix in Support of Report of the Special Litigation Committee of Dish network Corporation Regarding Plaintiff's Motion for Preliminary Injunction (Certain Exhibits Filed Under Seal). Exhibits 47-76 Attached</i>
11/21/2013	 Filed Under Seal Filed By: Defendant Clayton, Joseph P <i>Defendant's Clayton, Defranco, Moskowitz, Cantey Ergen And Vogel's Supplemental Brief In Opposition To Plaintiff's Motion For Preliminary Injunction</i>
11/22/2013	 Receipt of Copy Filed by: Defendant Dish Network Corporation <i>Receipt of Copy</i>
11/22/2013	 Motion to Seal/Redact Records Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Reply to Defendants' Supplemental Oppositions and Special Litigation Committee's Report</i>
11/22/2013	 Reply Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Reply to Defendants' Supplemental Oppositions and Special Litigation Committee's Report</i>
11/22/2013	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Report of the Special Litigation Committee of Network Corporation Regarding Plaintiff's Motion for Preliminary Injunction</i>

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11/22/2013	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Appendix in Support of Report of this Special Litigation Committee of Dish Network Corporation Regarding Plaintiff's Motion for Preliminary Injunction</i>
11/22/2013	 Filed Under Seal <i>Filed Under Seal - Plaintiff's Reply to Defendants' Supplemental Opposition and Special Litigation Committee's Report</i>
11/25/2013	 Supplement Filed by: Defendant Dish Network Corporation <i>Supplement To Motion To Redact Portions Of The Special Litigation Committee's Report Regarding Plaintiff's Motion For Preliminary Injunction And To Seal Certain Exhibits Attached Thereto</i>
11/25/2013	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Supplement To Appendix In Support Of Report Of The Special Litigation Committee Of Dish Network Corporation Regarding Plaintiff's Motion For Preliminary (Exhibits 17-19, 21-24, 26, 29-43, 50-51, 53-63, 61A and 65-68 Filed Under Seal)</i>
11/25/2013	<b>Motion</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/20/2013 Motion <i>Motion to Unseal Plaintiff's Supplement to Motion for Preliminary Injunction and Appendix of Exhibits to Motion for Preliminary Injunction on an Order Shortening Time</i>
11/25/2013	<b>Preliminary Injunction Hearing</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
11/25/2013	<b>Motion to Associate Counsel</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/14/2013 Motion to Associate Counsel <i>Motion to Associate Counsel (David McBride)</i>
11/25/2013	<b>Motion to Associate Counsel</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/14/2013 Motion to Associate Counsel <i>Motion to Associate Counsel (Robert Brady)</i>
11/25/2013	<b>Motion to Associate Counsel</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/14/2013 Motion to Associate Counsel <i>Motion to Associate Counsel (C. Barr Flinn)</i>
11/25/2013	 <b>All Pending Motions</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
11/26/2013	 <b>Decision</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Decision: Motion for Preliminary Injunction</i>
11/26/2013	 Request Filed by: Defendant Dish Network Corporation <i>Request for Hearing Regarding Amount of Bond if Plaintiff's Motion for Preliminary Injunction is Granted</i>
11/27/2013	 Transcript of Proceedings <i>Transcript of Proceedings: Hearing on Motion for Preliminary Injunction November 25, 2013</i>
11/27/2013	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Supplement to Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation Regarding Plaintiff's Motion for Preliminary Injunction</i>

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11/27/2013	 Finding of Fact and Conclusions of Law <i>Finding of Fact and Conclusions of Law</i>
12/03/2013	 Motion to Associate Counsel Filed By: Defendant Dish Network Corporation <i>Motion to Associate Counsel (Holly Stein Sollod)</i>
12/03/2013	 Notice of Motion Filed By: Defendant Dish Network Corporation <i>Notice of Motion to Redact Portions of the Special Litigation Committee's Report Regarding Plaintiff's Motion for Preliminary Injunction and to Seal Certain Exhibits Attached Thereto</i>
12/04/2013	 Notice of Motion Filed By: Defendant Dish Network Corporation <i>Notice of Motion to Associate Counsel (Holly Stein Sollod)</i>
12/05/2013	 Order Admitting to Practice Filed By: Defendant Dish Network Corporation <i>Order Granting Motions to Associate Counsel (Comrie Barr Flinn, David C McBride, Robert S Brady)</i>
12/09/2013	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Motions to Associate Counsel</i>
12/12/2013	 Notice of Posting Bond Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Posting Bond</i>
12/13/2013	 Motion to Reconsider Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion for Reconsideration of this Court's Findings of Fact and Conclusions of Law on Plaintiff's Motion for Preliminary Injunction</i>
12/13/2013	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix to Exhibits to Plaintiff's Motion for Reconsideration of this Court's Findings of Facts and Conclusions of Law on Plaintiff's Motion for Preliminary Injunction</i>
12/16/2013	 Ex Parte Application Party: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Ex Parte Application for Order Shortening Time on Motion for Reconsideration of this Court's Findings of Fact and Conclusions of Law on Plaintiff's Motion for Preliminary Injunction</i>
12/17/2013	 Receipt of Copy Filed by: Defendant Dish Network Corporation <i>Receipt of Copy</i>
12/18/2013	 Opposition Filed By: Defendant Clayton, Joseph P <i>Defendants Clayton, DeFranco, Cantey M. Ergen, Moskowitz, and Vogel's Opposition to Plaintiff's Motion for Reconsideration</i>













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**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

12/18/2013	 Motion to Associate Counsel Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion to Associate Counsel</i>
12/18/2013	 Opposition Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Opposition to Plaintiff's Motion for Reconsideration</i>
12/18/2013	 Brief Filed By: Defendant Dish Network Corporation <i>Special Litigation Committee's Statement Regarding Plaintiff's Motion for Reconsideration of this Court's Findings of Fact and Conclusions of Law on Plaintiff's Motion for Preliminary Injunction</i>
12/19/2013	 Certificate of Mailing Filed By: Defendant Dish Network Corporation <i>Certificate of Mailing</i>
12/19/2013	 <b>Motion For Reconsideration</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion for Reconsideration of this Court's Findings of Fact and Conclusions of Law on Plaintiff's Motion for Preliminary Injunction</i>
12/19/2013	 Order Granting Filed By: Defendant Dish Network Corporation <i>Order Granting Motion to Associate Counsel [Holly Sollod]</i>
12/20/2013	<b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/13/2013 Motion to Seal/Redact Records <i>Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Supplement to Motion for Preliminary Injunction and Seal Appendix of Exhibits to Plaintiff's Supplement to Motion for Preliminary Injunction</i>
12/20/2013	<b>Motion for Order</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/19/2013 Motion <i>Defendant Charles W. Ergen's Motion for Order Permitting Redaction of his Opposition to Plaintiff's Supplement to Motion for Preliminary Injunction, and Filing Under Seal the Appendix of Exhibits Thereto</i>
12/20/2013	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
12/27/2013	<b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/20/2013 Motion for Order <i>Defendants Clayton, Del'ranco, Moskowitz, Cantey Ergen and Vogel's Motion for Order to Redact Supplemental Brief in Opposition to Plaintiff's Motion for Preliminary Injunction and Filing Under Seal of Exhibits Attached Thereto</i>
12/27/2013	<b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/20/2013 Motion to Seal/Redact Records <i>Motion to Redact Portions of the Special Litigation Committee's Report Regarding Plaintiff's Motion for Preliminary Injunction and to Seal Certain Exhibits Attached Thereto</i>
12/27/2013	<b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 11/22/2013 Motion to Seal/Redact Records <i>Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Reply to Defendants' Supplemental Oppositions and Special Litigation Committee's Report</i>
12/27/2013	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)













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12/31/2013	 Notice of Entry Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Motion to Associate Counsel (Holly Sollod)</i>
01/02/2014	 Demand for Jury Trial Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Demand for Jury Trial</i>
01/06/2014	 Notice of Entry of Judgment Filed By: Defendant Clayton, Joseph P <i>Notice of Entry of Order Granting (1) Dish Network Corporations's Motion for order permitting filing under Seal Opposition to Motion to Compel Production and (2) Defendant Charles W. Ergen's Motion for Oder Permitting filing under Seal Defendant Charles W. Ergen's Opposition to Plaintiff's Motion to Compel Production</i>
01/06/2014	 Order Filed By: Defendant Clayton, Joseph P <i>Order Granting (1) Dish Network Corporation's Motion for Order Permitting Filing Under Seal Opposition to Motion to Compel Production and (2) Defendant Charles W. Ergen's Motion for Order Permitting Filing Under Seal Defendant Charles W. Ergen's Opposition to Plaintiff's Motion to Compel Production</i>
01/08/2014	 Reporters Transcript <i>Transcript of Proceedings: Hearing on Motion for Reconsideration December 19, 2013</i>
01/10/2014	 <b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 12/03/2013 Motion to Associate Counsel <i>Motion to Associate Counsel (Holly Stein Sollod)</i>
01/24/2014	 <b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Associate Counsel, Adam David Hollander, Esq.</i>
01/28/2014	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix of Exhibits to Motion for Entry of Scheduling Order on an Order Shortening Time</i>
02/03/2014	 Order Granting Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Order Granting Motion to Associate Counsel (Adam David Hollander)</i>
02/04/2014	 Status Report Filed By: Defendant Dish Network Corporation <i>Status Report of the Special Litigation Committee of Dish Network Corporation</i>
02/04/2014	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Order</i>
02/05/2014	 Stipulation and Order Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Stipulation and Order Regarding Filing of Plaintiff's Second Amended Complaint, Withdrawal of Charles W. Ergen's Motion to Dismiss Dated September 18, 2013, And Subsequent Motion Practice</i>
02/05/2014	 Notice

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	Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Disassociation of Jeremy Friedman, Esq.</i>
02/06/2014	 Notice of Entry of Stipulation and Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Stipulation and Order</i>
02/11/2014	<b>CANCELED Motion to Dismiss</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated</i> <i>Defendant Charles W. Ergen's Motion to Dismiss the Amended Derivative Complaint</i>
02/11/2014	 Notice of Withdrawal Filed By: Defendant Dish Network Corporation <i>Notice of Withdrawal of Appendix of Exhibits to Motion for Entry of Scheduling Order on an Order Shortening Time</i>
03/26/2014	 <b>Minute Order</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Minute Order Setting Status Check</i>
04/25/2014	 <b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>04/25/2014, 06/06/2014, 06/19/2014</b>
05/01/2014	 Stipulation and Order Filed by: Consolidated Case Party Louisiana Municipal Police Employees Retirement System <i>Stipulation and Order to Consolidate Case No. A-13-686775-B and Case No. A-14-693887-C</i>
05/02/2014	 Notice of Entry of Stipulation and Order Filed By: Consolidated Case Party Louisiana Municipal Police Employees Retirement System <i>Notice of Entry of Stipulation and Order</i>
06/06/2014	 Status Report Filed By: Defendant Ergen, Charles W. <i>Defendants' Status Report</i>
06/06/2014	 Certificate of Mailing Filed By: Defendant Dish Network Corporation <i>Certificate of Mailing</i>
06/06/2014	 Status Report Filed By: Defendant Dish Network Corporation <i>Status Report</i>
06/06/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix of Exhibits to Status Report</i>
06/06/2014	 Certificate of Mailing Filed By: Defendant Dish Network Corporation <i>Certificate of Mailing</i>
06/16/2014	 Supplement Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Supplement to Status Report</i>

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**CASE SUMMARY**  
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06/18/2014	 Response Filed by: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen's Response to Plaintiff's Status Report</i>
06/23/2014	 Reporters Transcript <i>Transcript of Proceedings: Status Conference June 19, 2014</i>
07/14/2014	 Notice Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Decision Denying Confirmation of Debtors' Third Amended Joint Plan Pursuant to Chapter 11 of Bankruptcy Code</i>
07/25/2014	 Motion Filed By: Defendant Dish Network Corporation <i>Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Verified Second Amended Shareholder Derivative Complaint of Jacksonville Police and Fire Pension Fund Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
07/25/2014	 Second Amended Complaint Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Verified Second Amended Shareholder Derivative Complaint of Jacksonville Police and Fire Pension Fund Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
07/28/2014	 Certificate of Mailing Filed By: Defendant Dish Network Corporation <i>Certificate of Mailing</i>
08/05/2014	 Status Report Filed By: Defendant Dish Network Corporation <i>Report of the Special Litigation Committee of Dish Network Corporation on the Timeline for the Completion of Its Investigation</i>
08/06/2014	 <b>Telephonic Conference</b> (11:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
08/07/2014	 Reporters Transcript <i>Transcript of Proceedings: Telephone Conference August 6, 2014</i>
08/22/2014	 Acceptance of Service Filed By: Defendant Dish Network Corporation <i>Acceptance of Service</i>
08/22/2014	 Certificate of Mailing Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Certificate of Mailing</i>
08/29/2014	 <b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact Plaintiff's Verified Second Amended Shareholder Derivative Complaint of Jacksonville Police and Fire Pension Fund Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
08/29/2014	 Motion to Dismiss Filed By: Defendant Dish Network Corporation <i>Motion To Dismiss For Failure To Plead Demand Futility</i>



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08/29/2014	 Motion to Dismiss Filed By: Defendant Defranco, James <i>Director Defendants' Motion to Dismiss the Second Amended Complaint</i>
08/29/2014	 Declaration Filed By: Defendant Ergen, Charles W. <i>Declaration of Joshua H. Reisman in Support of Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund</i>
08/29/2014	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix to Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund - Vol. 1 of 6</i>
08/29/2014	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix to Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund - Vol. 2 of 6</i>
08/29/2014	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix to Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund - Vol. 3 of 6</i>
08/29/2014	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix to Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund - Vol. 4 of 6</i>
08/29/2014	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix to Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund - Vol. 5 of 6</i>
08/29/2014	 Appendix Filed By: Defendant Ergen, Charles W. <i>Appendix to Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund - Vol. 6 of 6</i>
08/29/2014	 Motion to Dismiss Filed By: Defendant Ergen, Charles W. <i>Defendant Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund</i>
08/29/2014	 Affidavit of Service Filed By: Defendant Dish Network Corporation <i>Affidavit of Service - Kyle Jason Kiser</i>
08/29/2014	 Affidavit of Service

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	Filed By: Defendant Dish Network Corporation <i>Affidavit of Service - Thomas A Cullen</i>
08/29/2014	 Affidavit of Service Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Affidavit of Service - Stanton Dodge</i>
09/15/2014	 Motion to Dismiss Filed By: Defendant Cullen, Thomas A <i>The Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
09/15/2014	 Declaration Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Declaration of James J. Pisanelli in Support of the Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
09/15/2014	 Order Granting Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Order Granting Motion to Redact Plaintiff's Verified Second Amended Shareholder Derivative Complaint of Jacksonville Police and Fire Pension fund Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
09/15/2014	 Initial Appearance Fee Disclosure Filed By: Defendant Cullen, Thomas A <i>Initial Appearance Fee Disclosure</i>
09/15/2014	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Order</i>
09/17/2014	 Status Report Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Status Report Regarding Related Cases and Attorneys</i>
09/19/2014	 Motion Filed By: Defendant Dish Network Corporation <i>Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Opposition to the Director Defendants' Motion to Dismiss the Second Amended Complaint and Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Complaint Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
09/19/2014	 Opposition to Motion to Dismiss Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Opposition to the SJC's Motion to Dismiss For Failure to Plead Demand Futility</i>
09/19/2014	 Opposition to Motion to Dismiss Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Opposition to the Director Defendants' Motion to Dismiss the Second Amended Complaint and Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Complaint</i>
09/22/2014	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Stipulation and Order Regarding Plaintiff's Oppositions to the Motions to Dismiss</i>

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09/22/2014	 Stipulation and Order Filed by: Defendant Dish Network Corporation <i>Stipulation and Order Regarding Plaintiff's Oppositions to the Motions to Dismiss</i>
09/25/2014	 Motion Filed By: Defendant Dish Network Corporation <i>Plaintiff's Notice of Motion and Motion to Redact Plaintiff's Opposition to the Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
09/25/2014	 Redacted Version Filed By: Defendant Dish Network Corporation <i>Plaintiff's Opposition to the Officer Defendants' Motion to Dismiss the</i>
09/27/2014	 Notice of Change of Address Filed By: Defendant Cullen, Thomas A <i>Notice of Change of Firm Address</i>
10/02/2014	 Reply in Support Filed By: Defendant Ergen, Charles W. <i>Defendants Charles W. Ergen and Cantey M. Ergen's Reply in Support of Their Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund</i>
10/02/2014	 Reply in Support Filed By: Defendant Cullen, Thomas A <i>Reply in Support of the Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
10/02/2014	 Declaration Filed By: Defendant Cullen, Thomas A <i>Declaration of James J. Pisanelli in Support of the Reply in Support of the Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
10/02/2014	 Reply in Support Filed By: Defendant Dish Network Corporation <i>SIC's Reply In Support of Motion to Dismiss For Failure to Plead Demand Futility</i>
10/02/2014	 Reply in Support Filed By: Defendant Defranco, James <i>Reply In Further Support Of Director Defendants' Motion To Dismiss The Second Amended Complaint</i>
10/08/2014	 Motion to Associate Counsel Filed By: Defendant Cullen, Thomas A <i>Motion to Associate Bruce B. Braun, Esq.</i>
10/08/2014	 Motion to Associate Counsel Filed By: Defendant Cullen, Thomas A <i>Motion to Associate Matthew L. DiRisio, Esq.</i>
10/08/2014	 Motion to Associate Counsel Filed By: Defendant Cullen, Thomas A <i>Motion to Associate Tyler G. Johannes, Esq.</i>
10/20/2014	 Motion to Associate Counsel










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**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

Filed By: Plaintiff Jacksonville Police and Fire Pension Fund  
*Motion to Associate Counsel*













10/22/2014	 Order Shortening Time Filed By: Defendant Cullen, Thomas A <i>Order Shortening Time on Motion to Associate Bruce R. Braun, Matthew L. DiRisio and Tyler G. Johannes as Counsel</i>
10/24/2014	 <b>Motion</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact Plaintiff's Opposition to the Director Defendants' Motion to Dismiss the Second Amended Complaint and Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Complaint Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
10/24/2014	 Motion to Seal/Redact Records Filed By: Defendant Dish Network Corporation <i>Motion to Redact the Special Litigation Committee's Report and to Seal Certain Exhibits Thereto</i>
10/24/2014	 Status Report Filed By: Defendant Dish Network Corporation <i>Report of the Special Litigation Committee Of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 1 of Appendix to the Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation (part 1)</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the Special Litigation Committee of Dish</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**












*Network Corporation*

10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 5 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation</i>
10/26/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 6 of the Appendix in Support of Report of the Special Litigation Committee of Dish Network Corporation (Exhibits 469,470,471,472,473,474,475,476 &amp; 478 Filed Under Seal)</i>
10/27/2014	<b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendants Thomas A. Cullen, Kyle J. Kiser, and R. Stanton Dodge's Motion to Associate Bruce R. Braun, Esq.</i>
10/27/2014	<b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendants Thomas A. Cullen, Kyle J. Kiser, and R. Stanton Dodge's Motion to Associate Matthew L. DiRisio, Esq.</i>
10/27/2014	<b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendants Thomas A. Cullen, Kyle J. Kiser, and R. Stanton Dodge's Motion to Associate Tyler G. Johannes, Esq.</i>
10/27/2014	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 2 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	














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**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 4 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

	Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Appendix Filed By: Defendant Dish Network Corporation <i>Volume 3 of the Appendix in Support of Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	Filed Under Seal <i>Please See Volume 5 of Appendix Broken Down on Date 10/27/14</i>
10/27/2014	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Volume 6 of Appendix to the Report of the Special Litigation Committee of Dish Network Corporation (Exhibits 469, 470, 471, 472, 473, 474, 475, 476, &amp; 478 Filed Under Seal)</i>
10/27/2014	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Report Of The Special Litigation Committee Of Dish Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 298 through 329) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 330 through 369) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 370 through 383) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 384 through 392) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 393 through 407) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>

DEPARTMENT 11  
**CASE SUMMARY**  
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10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 408 through 417) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 418 through 423) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 424 through 429) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 430 through 436) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/27/2014	 Filed Under Seal <i>Volume 5 of the Appendix (Exhibits 437 through 468) to the Report of the the Special Litigation Committee Of DISH Network Corporation</i>
10/30/2014	 <b>Telephonic Conference</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/30/2014	 Status Report Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Status Report</i>
11/03/2014	 Reporters Transcript <i>Transcript of Proceedings: Telephone Conference Re Scheduling October 30, 2014</i>
11/04/2014	 Order Granting Motion Filed By: Defendant Cullen, Thomas A <i>Order Granting Motions to Associate Bruce R. Braun, Matthew L. Dirisio, and Tyler G. Johannes as Counsel</i>
11/05/2014	 Order Granting Motion Filed By: Defendant Dish Network Corporation <i>Order Granting Plaintiff's Motion to Redact its Opposition to the Director Defendants' Motion to Dismiss the Second Amended Complaint and Defendants Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Complaint Pursuant to Rule 23.1 of the Nevada Rules of Civil Procedure</i>
11/05/2014	 Notice of Entry of Order Filed By: Defendant Cullen, Thomas A <i>Notice of Entry of Order Granting Motions to Associate Bruce R. Braun, Matthew L. Dirisio, and Tyler G. Johannes as Counsel</i>
11/06/2014	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order</i>
11/07/2014	 <b>Motion</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact Plaintiff's Opposition to the Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
11/12/2014	



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	 <b>Ex Parte Application</b> Party: Defendant Dish Network Corporation <i>Ex Parte Application for Leave to Exceed Page Limit for the Motion to Defer to the SLC's Determination that the Claims Should be Dismissed</i>
11/17/2014	 <b>Order Granting</b> Filed By: Defendant Dish Network Corporation <i>Order Granting Ex Parte Application for Leave to Exceed Page Limit for the Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
11/17/2014	 <b>Stipulation and Order</b> Filed by: Defendant Dish Network Corporation <i>Stipulation and Order Regarding Briefing Schedule and Hearing on the SLC's Motion</i>
11/18/2014	 <b>Order Granting Motion</b> Filed By: Defendant Dish Network Corporation <i>Order Granting Plaintiff's Motion to Redact Its Opposition to the Officer Defendants' Motion to Dismiss The Second Amended Complaint</i>
11/18/2014	 <b>Motion to Dismiss</b> Filed By: Defendant Dish Network Corporation <i>Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
11/19/2014	 <b>Notice of Entry of Order</b> Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Stipulation and Order Regarding Briefing Schedule and Hearing on the SLC's Motion</i>
11/19/2014	 <b>Notice of Entry of Order</b> Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Ex Parte Application for Leave to Exceed Page Limit For the Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
11/19/2014	 <b>Notice of Entry of Order</b> Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Plaintiff's Motion to Redact Its Opposition to the Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
11/21/2014	<b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff Jacksonville Police and Fire Pension Fund's Motion to Associate Counsel (Gregory E. Del Gaizo, Esq. and Michael J. Nicoud, Esq.)</i>
11/21/2014	<b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Stipulation / Status Report on Briefing for Motions to Dismiss</i>
11/21/2014	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
11/26/2014	 <b>Substitution of Attorney</b> Filed by: Defendant Ergen, Charles W. <i>Substitution of Attorneys</i>
12/04/2014	 <b>Supplemental</b> Filed by: Defendant Dish Network Corporation <i>Supplemental Brief Regarding Motion to Redact the Special Litigation Committee's Report and to Seal Certain Exhibits Thereto</i>

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12/05/2014	 <b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>12/05/2014, 01/12/2015</b> <i>The Special Litigation Committee of Nominal Defendant Dish Network Corporations' Motion to Redact the Special Litigation Committee's Report and to Seal Certain Exhibits Thereto</i>
12/08/2014	 <b>Ex Parte Application</b> Party: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Ex Parte Application For Leave To Exceed Page Limit For Its Opposition To The SLC's Motion To Defer to the SLC's Determination That The Claims Should Be Dismissed</i>
12/08/2014	 <b>Notice of Entry of Order</b> Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order</i>
12/08/2014	 <b>Order Granting Motion</b> Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Order Granting Motion to Associate Counsel</i>
12/09/2014	 <b>Notice of Entry of Order</b> Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Order</i>
12/09/2014	 <b>Order Granting</b> Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Order Granting Plaintiff's Ex Parte Application for Leave to Exceed Page Limit for its Opposition to the SLC's Motion to Defer to the SLC's Determination that the Claims Should be Dismissed.</i>
12/10/2014	 <b>Motion</b> Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Notice of Motion and Motion to Redact its Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed</i>
12/10/2014	 <b>Opposition to Motion</b> Filed By: Defendant Dish Network Corporation <i>Plaintiff's Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed</i>
12/11/2014	 <b>Notice of Entry of Stipulation and Order</b> Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Stipulation and Order</i>
12/11/2014	 <b>Substitution of Attorney</b> Filed by: Defendant Cullen, Thomas A <i>Substitution of Counsel</i>
12/11/2014	 <b>Stipulation and Order</b> Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Stipulation and Order Regarding Amended Briefing Schedule and Hearing on the SLC's Motion</i>
12/15/2014	 <b>Supplemental</b> Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Supplemental Authority to Plaintiff's Opposition to The SLC's Motion to Defer to Its Determination That The Claims Should be Dismissed</i>

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**CASE SUMMARY**  
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12/22/2014	 Motion to Associate Counsel Filed By: Defendant Cullen, Thomas A <i>Motion to Associate Zachary A. Madonia, Esq.</i>
01/05/2015	 Reply Filed by: Defendant Dish Network Corporation <i>Reply In Support of the Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
01/05/2015	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix of Exhibits Referenced in Reply In Support of the Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
01/06/2015	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix of Exhibits Referenced in Reply In Support of the Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
01/08/2015	 Notice of Bankruptcy Filed By: Defendant Dish Network Corporation <i>Notice of Filing in the Lightsquared Bankruptcy</i>
01/12/2015	<b>Hearing</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
01/12/2015	<b>Motion to Dismiss</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>01/12/2015, 07/16/2015</b> Events: 08/29/2014 Motion to Dismiss <i>The Special Litigation Committee's Motion To Dismiss For Failure To Plead Demand Futility</i>
01/12/2015	<b>Motion to Dismiss</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>01/12/2015, 07/16/2015</b> Events: 08/29/2014 Motion to Dismiss <i>Defendant Charles W. Ergen and Cantey M. Ergen's Motion to Dismiss the Second Amended Derivative Complaint of Jacksonville Police and Fire Pension Fund</i>
01/12/2015	<b>Motion to Dismiss</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>01/12/2015, 07/16/2015</b> <i>The Officer Defendants' Motion to Dismiss the Second Amended Complaint</i>
01/12/2015	<b>Motion to Seal/Redact Records</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Notice of Motion and Motion to Redact its Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed</i>
01/12/2015	<b>Motion to Dismiss</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>01/12/2015, 07/16/2015</b> <i>The Special Litigation Committee's Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
01/12/2015	<b>Motion to Dismiss</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>01/12/2015, 07/16/2015</b> <i>Director Defendants' Motion to Dismiss the Second Amended Complaint</i>
01/12/2015	 <b>All Pending Motions</b> (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
01/16/2015	 Status Report Filed By: Defendant Dish Network Corporation

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*Status Report Regarding Motion to Redact The Special Litigation Committee's Report and to Seal Certain Exhibits Thereto*

01/16/2015	 Transcript of Proceedings <i>Transcript of Proceedings Hearing on Motions January 12, 2015 (unsealed per minute order 04/07/15)</i>
01/20/2015	 Order Granting Motion Filed By: Defendant Dish Network Corporation <i>Order Granting Plaintiff's Motion to Redact its Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed</i>
01/21/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order</i>
01/23/2015	 <b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendants Thomas A. Cullen, Kyle J. Kiser and R. Stanton Dodge's Motion to Associate Zachary A. Madonia, Esq.</i>
01/26/2015	 Notice Filed By: Defendant Dish Network Corporation <i>Notice of Submission of Proposed Order Regarding Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
01/30/2015	 Notice Filed By: Defendant Dish Network Corporation <i>Notice of Filing Redacted Report of the Special Litigation Committee of Dish Network Corporation</i>
02/03/2015	 Order Granting Motion Filed By: Defendant Cullen, Thomas A <i>Order Granting Motion to Associate Zachary Madonia as Counsel</i>
02/03/2015	 Notice of Entry of Order Filed By: Defendant Cullen, Thomas A <i>Notice of Entry of Order Granting Motion to Associate</i>
02/13/2015	 Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion to Unseal Transcript of the January 12, 2015 Hearing</i>
02/19/2015	 Order Filed By: Defendant Dish Network Corporation <i>Order Regarding Motion to Defer to the SLC's Determination that the Claims Should Be Dismissed</i>
02/19/2015	 Motion to Associate Counsel Filed By: Defendant Dish Network Corporation <i>Motion to Associate Counsel (Emily V. Burton)</i>
02/20/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Regarding Motion to Defer to The SLC's Determination that the Claims Should Be Dismissed</i>

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03/05/2015	 Status Report Filed By: Defendant Defranco, James <i>Defendants' and SI.C.'s Joint Status Report</i>
03/06/2015	 <b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>03/06/2015, 04/17/2015</b> <i>Status Check: Supplemental Filings</i>
03/06/2015	 Status Report Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Status Report</i>
03/06/2015	 Appendix Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix of Exhibits to Plaintiff's Status Report</i>
03/20/2015	<b>Motion</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>03/20/2015, 04/07/2015</b> <i>Plaintiff Jacksonville Police &amp; Fire Pension Fund's Motion to Unseal Transcript of the January 12, 2015 Hearing</i>
03/20/2015	<b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Associate Counsel (Emily V. Burton)</i>
03/20/2015	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
03/24/2015	 <b>Minute Order</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Minute Order Setting Status Check</i>
03/27/2015	 Order Granting Motion Filed By: Defendant Dish Network Corporation <i>Order Granting Motion to Associate Emily V. Burton as Counsel</i>
03/30/2015	 Stipulation and Order Filed by: Defendant Dish Network Corporation <i>Stipulation and Protective Order</i>
03/30/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Motion to Associate Emily V. Burton As Counsel</i>
04/01/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Stipulation and Protective Order</i>
04/03/2015	 Status Report Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Status Report</i>
04/06/2015	 Response Filed by: Defendant Ergen, Charles W. <i>Ergen Defendants' Response to Plaintiff's Status Report</i>












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04/06/2015	 Status Report Filed By: Defendant Dish Network Corporation <i>Status Report</i>
04/07/2015	 Stipulation and Order Filed by: Defendant Dish Network Corporation <i>Stipulation and Scheduling Order</i>
04/07/2015	<b>Status Check (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)
04/07/2015	 <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)
04/08/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Stipulation and Scheduling Order</i>
06/11/2015	 Ex Parte Application Party: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Ex Parte Application for Leave to Exceed Page Limit for its Opposition to the SLC's Motion to Defer to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed</i>
06/16/2015	 Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Notice of Motion and Motion to Seal Motion to Compel Production</i>
06/16/2015	 Order Granting Filed By: Defendant Dish Network Corporation <i>Order Granting Plaintiff's Ex Parte Application for Leave to Exceed Page Limit for its Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed</i>
06/16/2015	 Filed Under Seal Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Motion to Compel Production</i>
06/17/2015	 Notice of Entry of Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Order</i>
06/17/2015	 Certificate of Service Filed by: Defendant Dish Network Corporation <i>Certificate of Service</i>
06/18/2015	 Notice of Withdrawal Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Withdrawal of Plaintiff's Motion to Seal Motion to Compel Production and its Motion to Compel Production</i>
06/18/2015	 Motion Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Notice of Motion and Motion to Seal Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed and Appendix of Exhibits to Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed</i>

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**CASE SUMMARY**  
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06/18/2015	 Filed Under Seal Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Appendix of Exhibits to Plaintiff's Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination that the Claims should be Dismissed</i>
06/18/2015	 Filed Under Seal Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Supplemental Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed</i>
06/29/2015	 Ex Parte Filed By: Defendant Dish Network Corporation <i>Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee's Supplemental Reply in Support of Its Motion to Defer</i>
06/30/2015	 Order Granting Filed By: Defendant Dish Network Corporation <i>Order Granting Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee's Supplemental Reply in Support of Its Motion to Defer</i>
07/01/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting Ex Parte Application for Leave to Exceed Page Limit for the Special Litigation Committee's Supplemental Reply in Support of Its Motion to Defer</i>
07/02/2015	 Motion Filed By: Defendant Dish Network Corporation <i>Plaintiff's Notice of Motion and Motion to Redact its Supplemental Opposition to the SLC'S Motion to Defer to the SLC's Determination that the Claims Should be Dismissed</i>
07/02/2015	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix of Exhibits to Supplemental Reply in Support of the Motion to Defer to the SCL's Determination that the Claims Should be Dismissed</i>
07/02/2015	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix of SLC Report Exhibits Referenced in Supplemental Reply in Support of the Motion to Defer to the SCL's Determination That the Claims Should Be Dismissed</i>
07/02/2015	 Motion to Seal/Redact Records Filed By: Defendant Dish Network Corporation <i>The Special Litigation Committee's Motion to Seal Supplemental Reply in Support of Its Motion to Defer and Certain Exhibits Thereto</i>
07/02/2015	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Supplemental Reply in Support of the Motion to Defer to the SLC's Determination that the CLaims Should be Dismissed</i>
07/02/2015	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Appendix of Exhibits to Supplemental Reply in Support of the Motion to Defer to the SLC's Determination That the Claims SHould be Dismissed</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

07/02/2015	 Filed Under Seal Filed By: Defendant Dish Network Corporation <i>Appendix of SLC Report Exhibits References in Supplemental Reply in Support of the Motion to Defer to the SLC's Determination that the Claims Should be Dismissed</i>
07/06/2015	 Supplemental Filed by: Defendant Dish Network Corporation <i>Redacted Supplemental Redacted Supplemental Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed</i>
07/07/2015	 Certificate of Service Filed by: Defendant Dish Network Corporation <i>Certificate of Service</i>
07/09/2015	 Reply in Support Filed By: Defendant Dish Network Corporation <i>Supplemental Reply in Support of the Motion to Defer to the SLC's Determination That the Claims Should be Dismissed</i>
07/16/2015	 <b>All Pending Motions</b> (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
07/17/2015	 <b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>07/17/2015, 08/14/2015</b> <i>Plaintiff's Motion to Seal Motion to Compel Production</i>
07/17/2015	 Reporters Transcript <i>Transcript of Proceedings: Hearing on Motions</i>
07/24/2015	 <b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>07/24/2015, 08/07/2015, 08/21/2015</b> <i>Plaintiff's Motion to Seal Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed and Appendix of Exhibits to Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed</i>
07/31/2015	 Supplemental Filed by: Defendant Dish Network Corporation <i>Supplement to the Special Litigation Committee's Motion to Seal Supplemental Reply in Support of its Motion to Defer and Certain Exhibits Thereto</i>
08/07/2015	<b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>08/07/2015, 08/21/2015</b> <i>The Special Litigation Committee's Motion to Seal Supplemental Reply in Support of Its Motion to Defer and Certain Exhibits Thereto</i>
08/07/2015	<b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <b>08/07/2015, 08/21/2015</b> <i>Plaintiff's Motion to Redact its Supplemental Opposition to the SLC'S Motion to Defer to the SLC's Determination that the Claims Should be Dismissed</i>
08/07/2015	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
08/14/2015	 Supplemental Filed by: Defendant Dish Network Corporation <i>The Special Litigation Committee's Supplement to Plaintiff's Motion to Seal Motion to Compel Production</i>



DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**










08/20/2015	 Supplemental Filed by: Defendant Dish Network Corporation <i>The Special Litigation Committee's Supplement to (1) Plaintiff's Motion to Seal Supplemental Opposition to the SLC's Motion to Defer and Exhibits Thereto and (2) the Special Litigation Committee's Motion to Seal Supplemental Reply in Support of Its Motion to Defer and Certain Exhibits Thereto</i>
08/20/2015	 Appendix Filed By: Defendant Dish Network Corporation <i>Appendix to the Special Litigation Committee's Supplement to (1) Plaintiff's Motion to Seal Supplemental Opposition to the SLC's Motion to Defer and Exhibits Thereto and (2) the Special Litigation Committee's Motion to Seal Supplemental Reply in Support of Its Motion to Defer and Certain Exhibits Thereto</i>
08/21/2015	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
08/21/2015	 Supplement Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Supplement to Plaintiff's Motion to Seal Supplemental Opposition to the SLC's Motion to Defer and Exhibits thereto, and the SLC's Motion to Seal Supplemental Reply in Support of Its Motion to Defer and Certain Exhibits Thereto</i>
09/14/2015	 Notice Filed By: Defendant Dish Network Corporation <i>The Special Litigation Committee's Notice of Submission of Proposed Findings of Fact and Conclusions of Law Regarding the Motion to Defer to the SLC's Determination that the Claims should be Dismissed</i>
09/18/2015	 Findings of Fact, Conclusions of Law and Judgment Filed by: Defendant Dish Network Corporation <i>Findings of Fact and Conclusions of Law Regarding The Motion to Defer to the SLC's Determination That The Claims Should Be Dismissed</i>
09/18/2015	<b>Order of Dismissal With Prejudice</b> (Judicial Officer: Gonzalez, Elizabeth) Debtors: Jacksonville Police and Fire Pension Fund (Plaintiff) Creditors: Charles W. Ergen (Defendant), Joseph P Clayton (Defendant), James DeFranco (Defendant), Cantey M Ergen (Defendant), David K Moskowitz (Defendant), Tom A Ortolf (Defendant), Carl E Vogel (Defendant), Dish Network Corporation (Defendant), Thomas A Cullen (Defendant), Kyle J Kiser (Defendant), R Stanton Dodge (Defendant) Judgment: 09/18/2015, Docketed: 09/25/2015
10/02/2015	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Findings of Fact and Conclusions of Law Regarding the Motion to Defer to the SLC's Determination That the Claims Should Be Dismissed</i>
10/12/2015	 Notice of Appeal Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Appeal</i>
10/12/2015	 Case Appeal Statement Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Case Appeal Statement</i>
10/14/2015	 Notice Filed By: Other Dish Network Corporation

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

*Notice of Submission of Form of Judgment*

10/15/2015	 Judgment Filed By: Other Dish Network Corporation <i>Judgment</i>
10/19/2015	 Memorandum Filed By: Defendant Dish Network Corporation <i>The Special Litigation Committee of Dish Network Corporation's Memorandum of Costs</i>
10/20/2015	 Notice of Entry of Judgment Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Judgment</i>
10/22/2015	 Stipulation and Order Filed by: Defendant Dish Network Corporation <i>Stipulation and Order Regarding the Special Litigation Committee of Dish Network Corporation's Memorandum of Costs</i>
10/23/2015	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Entry of Stipulation and Order</i>
11/03/2015	 Motion to Retax Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Motion to Retax</i>
11/16/2015	 Opposition to Motion Filed By: Other Dish Network Corporation <i>Opposition to Plaintiff's Motion to Retax</i>
11/20/2015	 Reply in Support Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Reply in Further Support of Its Motion to Retax</i>
11/24/2015	 <b>Motion to Retax</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Retax</i>
12/01/2015	 Reporters Transcript <i>Transcript of Proceedings: Hearing on Plaintiff's Motion to Retax November 24, 2015</i>
12/08/2015	 Supplemental Filed by: Defendant Dish Network Corporation <i>Supplement to Opposition to Plaintiff's Motion to Retax</i>
12/10/2015	 Response Filed by: Plaintiff Jacksonville Police and Fire Pension Fund <i>Response to SLC's Supplement to Opposition to Plaintiff's Motion to Retax</i>
12/15/2015	 Notice Filed By: Defendant Dish Network Corporation <i>The Special Litigation Committee's Notice of Submission of Proposed Order Granting in Part and Denying in Part Plaintiff's Motion to Retax</i>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

12/30/2015	 Notice Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Plaintiff's Notice of Submission of Proposed Order Granting In Part and Denying In Part Plaintiff's Motion to Retax</i>
01/08/2016	 Order Filed By: Other Dish Network Corporation <i>Order Granting in Part and Denying in Part Plaintiff's Motion to Retax</i>
01/12/2016	 Order to Statistically Close Case <i>Civil Order to Statistically Close Case</i>
01/12/2016	 Notice of Entry of Order Filed By: Defendant Dish Network Corporation <i>Notice of Entry of Order Granting in Part and Denying in Part Plaintiff's Motion to Retax</i>
01/15/2016	 Notice Filed By: Defendant Dish Network Corporation <i>Notice of Submission of Amended Judgment</i>
01/27/2016	 Judgment Filed By: Other Dish Network Corporation <i>Amended Judgment</i>
01/27/2016	<b>Amended Judgment Plus Interest</b> (Judicial Officer: Gonzalez, Elizabeth) Debtors: Jacksonville Police and Fire Pension Fund (Plaintiff) Creditors: Dish Network Corporation (Defendant) Judgment: 01/27/2016, Docketed: 10/22/2015 Total Judgment: 186,100.60
01/28/2016	 Notice of Entry of Judgment Filed By: Other Dish Network Corporation <i>Notice of Entry of Amended Judgment</i>
02/02/2016	 Notice of Appeal Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Notice of Appeal</i>
02/02/2016	 Case Appeal Statement Filed By: Plaintiff Jacksonville Police and Fire Pension Fund <i>Case Appeal Statement</i>

DATE	FINANCIAL INFORMATION
	<b>Defendant</b> Clayton, Joseph P Total Charges 30.00 Total Payments and Credits 30.00 <b>Balance Due as of 2/4/2016 0.00</b>  <b>Defendant</b> Cullen, Thomas A Total Charges 1,483.00 Total Payments and Credits 1,483.00 <b>Balance Due as of 2/4/2016 0.00</b>  <b>Defendant</b> Defranco, James Total Charges 30.00 Total Payments and Credits 30.00

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Dish Network Corporation	
Total Charges	1,857.50
Total Payments and Credits	1,857.50
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Dodge, R Stanton	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Ergen, Cantey M	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Goodbarn, Steven R	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Kiser, Kyle J	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Moskowitz, David K	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Ortolf, Tom A	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Vogel, Carl E	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Defendant</b> Ergen, Charles W.	
Total Charges	1,486.50
Total Payments and Credits	1,486.50
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Other</b> Dish Network Corporation	
Total Charges	21.00
Total Payments and Credits	21.00
<b>Balance Due as of 2/4/2016</b>	<b>0.00</b>
<b>Plaintiff</b> Jacksonville Police and Fire Pension Fund	
Total Charges	1,684.50
Total Payments and Credits	1,661.50
<b>Balance Due as of 2/4/2016</b>	<b>23.00</b>
<b>Plaintiff</b> Jacksonville Police and Fire Pension Fund	
Injunction Balance as of 2/4/2016	<b>1,000.00</b>
<b>Plaintiff</b> Jacksonville Police and Fire Pension Fund	
Appeal Bond Balance as of 2/4/2016	<b>1,000.00</b>

DEPARTMENT 11  
**CASE SUMMARY**  
**CASE NO. A-13-686775-B**

## CIVIL COVER SHEET

County, Nevada

XXIX

Case No.

(Assigned by Clerk's Office)

**I. Party Information**

Plaintiff(s) (name/address/phone):

Jacksonville Police and Fire Pension Fund, Dish Network Corporation

Defendant(s) (name/address/phone):

Charles W. Ergen, Joseph P. Clayton, James DeFranco, Cantey M. Ergen, Steven R. Goodbarn, David K. Moskowitz, Tom A. Ortolf, and Carl E. Vogel,

Attorney (name/address/phone):

Brian W. Boschee, Esq. 400 S. 4<sup>th</sup> Street, Third Floor, LV NV 89101  
(702) 791-0308

Attorney (name/address/phone):

**II. Nature of Controversy** (Please check applicable bold category and applicable subcategory, if appropriate)☐ **Arbitration Requested****Civil Cases**

Real Property		Torts
<input type="checkbox"/> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> <b>Title to Property</b> <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> <b>Condemnation/Eminent Domain</b> <input type="checkbox"/> <b>Other Real Property</b> <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> <b>Negligence</b> <input type="checkbox"/> Negligence - Auto <input type="checkbox"/> Negligence - Medical/Dental <input type="checkbox"/> Negligence - Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence - Other	<input type="checkbox"/> <b>Product Liability</b> <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> <b>Intentional Misconduct</b> <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> <b>Employment Torts</b> (Wrongful termination) <input type="checkbox"/> <b>Other Torts</b> <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition

**Probate****Other Civil Filing Types**

<input type="checkbox"/> <b>Summary Administration</b> <input type="checkbox"/> <b>General Administration</b> <input type="checkbox"/> <b>Special Administration</b> <input type="checkbox"/> <b>Set Aside Estates</b> <input type="checkbox"/> <b>Trust/Conservatorships</b> <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> <b>Other Probate</b>	<input type="checkbox"/> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> <b>Breach of Contract</b> <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Act/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> <b>Civil Petition for Judicial Review</b> <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> <b>Appeal from Lower Court</b> (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> <b>Civil Writ</b> <input type="checkbox"/> Other Special Proceeding <input checked="" type="checkbox"/> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment - Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input checked="" type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters
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**III. Business Court Requested** (Please check applicable category; for Clark or Washoe Counties only.)

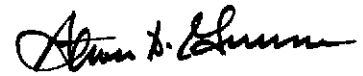
<input type="checkbox"/> NRS Chapters 78-88	<input type="checkbox"/> Investments (NRS 104 Art. 8)	<input type="checkbox"/> Enhanced Case Mgmt/Business
<input type="checkbox"/> Commodities (NRS 90)	<input type="checkbox"/> Deceptive Trade Practices NRS 598)	<input type="checkbox"/> Other Business Court Matters
<input type="checkbox"/> Securities (NRS 90)	<input type="checkbox"/> Trademarks (NRS 600A)	

8/9/13

Date



Signature of initiating party or representative



CLERK OF THE COURT

**ORDR**

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Robert J. Cassity  
Nevada Bar No. 9779  
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*Attorneys for the Special Litigation Committee  
of DISH Network Corporation*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN RE DISH NETWORK CORPORATION  
DERIVATIVE LITIGATION

Case No. A-13-686775-B  
Dept. No. XI

*Consolidated with A688882*

Date: November 24, 2015  
Time: 8:30 a.m.

**ORDER GRANTING IN PART AND  
DENYING IN PART PLAINTIFF'S  
MOTION TO RETAX**

This matter came before the Court on November 24, 2015 at 8:30 a.m. on Plaintiff Jacksonville Police and Fire Pension Fund's ("Plaintiff") Motion to Retax (the "Motion"). J. Stephen Peek of Holland & Hart LLP, and C. Barr Flinn and Emily V. Burton of Young,

Conaway, Stargatt, & Taylor, LLP appeared on behalf of the Special Litigation Committee of DISH Network Corporation ("SLC"). Jeffrey S. Rugg and Maximilien Fetaz of Brownstein Hyatt Farber Shreck appeared on behalf of Defendants James DeFranco, David K. Moskowitz, and Carl E. Vogel. Tariq Mundiya of Willkie Farr LLP appeared on behalf of Defendants Charles Ergen and Cantey Ergen. Brian W. Boschee of the law firm of Holley Driggs Walch Puzey & Thompson, and Mark Lebovitch and Adam Hollander of Bernstein Litowitz Berger & Grossmann LLP appeared on behalf of the Plaintiff.

The Court, having reviewed the Plaintiff's Motion, the Opposition, and the Reply, and having heard the oral arguments of counsel, and good cause appearing, makes the following findings:

1. The costs of the electronic discovery vendors utilized by the SLC in this case were a reasonable and necessary expense incurred in connection with the action as a method by which to acquire and process the information that was required to be produced in response to the Plaintiff's NRCP 56(f) discovery requests, and they are recoverable under NRS 18.005(17). *See also* NRCP 34(d).

2. As Nevada counsel for the SLC, Mr. Peek's travel expenses for attending the depositions were reasonable and necessary, and are recoverable under NRS 18.005(15). However, the travel expenses of co-counsel incurred in attending the depositions were not. None of the travel expenses for attending hearings are recoverable under NRS 18.005.

3. The costs related to photocopies were reasonable and necessary, are recoverable under NRS 18.005(12), and are better documented than those discussed in *Cadle Co. v. Woods & Erickson, LLP*, 131 Nev. Adv. Op. 15, 345 P.3d 1049 (2015).

4. The costs of "real time" court reporting services, same-day rough transcripts, and expedited transcripts are not recoverable under NRS 18.005(2), nor are they recoverable under NRS 18.005(17) as a reasonable and necessary expense incurred in connection with the action. The remaining costs related to court reporting and videographer services were reasonable and necessary and are recoverable under NRS 18.005(2) and NRS 18.005(17), respectively.

5. The costs related to long distance telephone calls were adequately supported and



1 are reasonable and necessary, and are recoverable under NRS 18.005(13).

2 6. The postage costs were sufficiently documented and are reasonable and  
3 necessary, and are recoverable under NRS 18.005(14).

4 Having made the foregoing findings, and good cause appearing,

5 IT IS HEREBY ORDERED that Plaintiff's Motion is GRANTED in part and DENIED in  
6 part as follows:

7 1. The Motion is GRANTED in part with respect to travel expenses for the SLC's  
8 out-of-state counsel, and all expenses related to travel for hearings, which are retaxed in the  
9 amount of \$20,025.73.

10 2. The Motion is GRANTED as to the costs related to "real time" services, which  
11 are retaxed in the amount of \$2,407.50 and with respect to next-day expedited transcripts and  
12 same-day rough copies of transcripts in the amount of \$7,222.50. The Motion is DENIED with  
13 respect to costs related to court reporter's fees, deposition transcripts, and videographer's fees,  
14 leaving \$9,316.15 in recoverable court reporter's fees.

15 3. The Motion is DENIED as to expenses related to travel by Mr. Peek for  
16 depositions, which are recoverable in the amount of \$3,653.96.

17 4. The Motion is DENIED with respect to the electronic discovery costs, which are  
18 recoverable in the full amount of \$151,178.32.

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1           5.       The Motion is DENIED with respect to the costs related to photocopies, long  
2 distance telephone calls, and postage, which are recoverable in the amount of \$21,952.17.

3           DATED this 5<sup>th</sup> day of Jan ~~December~~, 2016.

4  
5   
6 DISTRICT COURT JUDGE

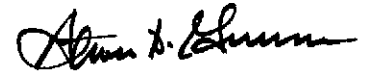
6 Respectfully submitted by:

7   
8  
9 J. Stephen Peek  
10 Robert J. Cassity  
11 HOLLAND & HART LLP  
12 9555 Hillwood Drive, 2nd Floor  
13 Las Vegas, NV 89134

14 Holly Stein Sollod (*pro hac vice*)  
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19 Robert S. Brady  
20 C. Barr Flinn  
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22 Rodney Square  
23 1000 North King Street  
24 Wilmington, DE 19801

25 *Attorneys for the Special Litigation Committee*  
26 *of DISH Network Corporation*  
27  
28



CLERK OF THE COURT

1 **NEOJ**

2 J. Stephen Peek  
3 Nevada Bar 1758  
4 Robert J. Cassity  
5 Nevada Bar 9779  
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26 Fax: (302) 571-1253

27 *Attorneys for the Special Litigation Committee*  
28 *of Dish Network Corporation*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN RE DISH NETWORK DERIVATIVE  
LITIGATION

Case No. A-13-686775-B  
Dept. No. XI

*Consolidated with A688882*

**NOTICE OF ENTRY OF ORDER  
GRANTING IN PART AND DENYING IN  
PART PLAINTIFF'S MOTION TO  
RETAX**

///

1 PLEASE TAKE NOTICE that the attached Order Granting in Part and Denying in Part  
2 Plaintiff's Motion to Retax was entered on the 8th day of January 2016.

3 DATED this 12th day of January 2016  
4

5 /s/ Robert J. Cassity

6 J. Stephen Peek  
7 Nevada Bar No. 1758  
8 Holly Stein Sollod  
9 Robert J. Cassity  
Nevada Bar No. 9779  
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
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17 *Attorneys for the Special Litigation Committee*  
18 *of Dish Network Corporation*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 12th day of January 2016, a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO RETAX** was served by the following method(s):

× Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

See the attached E-Service Master List

☐ U.S. Mail: by depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

☐ Email: by electronically delivering a copy via email to the following e-mail address:

☐ Facsimile: by faxing a copy to the following numbers referenced below:

/s/ Valerie Larsen  
An Employee of Holland & Hart LLP

**E-Service Master List  
For Case****null - Jacksonville Police and Fire Pension Fund, Plaintiff(s) vs. Charles Ergen, Defendant(s)****Bernstein Litowitz Berger & Grossmann LLP****Contact**Adam D. Hollander  
Jeroen Van Kwawegen  
Mark Lebovitch**Email**[adam.hollander@blbglaw.com](mailto:adam.hollander@blbglaw.com)  
[jeroen@blbglaw.com](mailto:jeroen@blbglaw.com)  
[markl@blbglaw.com](mailto:markl@blbglaw.com)**Brownstein Hyatt Farber Schreck, LLP****Contact**Jeffrey S. Rugg  
Karen Mandall  
Maximilien "Max" D. Fetaz**Email**[jrugg@bhfs.com](mailto:jrugg@bhfs.com)  
[kmandall@bhfs.com](mailto:kmandall@bhfs.com)  
[MFetaz@BHFS.com](mailto:MFetaz@BHFS.com)**Cadwalader Wickersham****Contact**Brittany Schulman  
Gregory Beaman  
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JA010839

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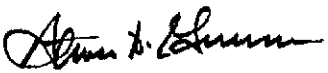
**Young, Conway, Stargatt & Taylor, LLP****Contact**

C. Barr Flinn

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CLERK OF THE COURT

1 **ORDR**

2 J. Stephen Peek  
3 Nevada Bar No. 1758  
4 Robert J. Cassity  
5 Nevada Bar No. 9779  
6 HOLLAND & HART LLP  
7 9555 Hillwood Drive, 2nd Floor  
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9 Phone: (702) 669-4600  
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11 Holly Stein Sollod (*pro hac vice*)  
12 HOLLAND & HART LLP  
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17 David C. McBride (*pro hac vice*)  
18 Robert S. Brady (*pro hac vice*)  
19 C. Barr Flinn (*pro hac vice*)  
20 Emily V. Burton (*pro hac vice*)  
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22 Rodney Square  
23 1000 North King Street  
24 Wilmington, DE 19801  
25 Phone: (302) 571-6600  
26 Fax: (302) 571-1253

27 *Attorneys for the Special Litigation Committee*  
28 *of DISH Network Corporation*

17 **DISTRICT COURT**

18 **CLARK COUNTY, NEVADA**

19 IN RE DISH NETWORK CORPORATION  
20 DERIVATIVE LITIGATION

Case No. A-13-686775-B  
Dept. No. XI

Consolidated with A688882

Date: November 24, 2015  
Time: 8:30 a.m.

21 **ORDER GRANTING IN PART AND**  
22 **DENYING IN PART PLAINTIFF'S**  
23 **MOTION TO RETAX**  
24  
25

26 This matter came before the Court on November 24, 2015 at 8:30 a.m. on Plaintiff  
27 Jacksonville Police and Fire Pension Fund's ("Plaintiff") Motion to Retax (the "Motion"). J.  
28 Stephen Peek of Holland & Hart LLP, and C. Barr Flinn and Emily V. Burton of Young,



1 Conaway, Stargatt, & Taylor, LLP appeared on behalf of the Special Litigation Committee of  
2 DISH Network Corporation ("SLC"). Jeffrey S. Rugg and Maximilien Fetaz of Brownstein  
3 Hyatt Farber Shreck appeared on behalf of Defendants James DeFranco, David K. Moskowitz,  
4 and Carl E. Vogel. Tariq Mundiya of Willkie Farr LLP appeared on behalf of Defendants  
5 Charles Ergen and Cantey Ergen. Brian W. Boschee of the law firm of Holley Driggs Walch  
6 Puzey & Thompson, and Mark Lebovitch and Adam Hollander of Bernstein Litowitz Berger &  
7 Grossmann LLP appeared on behalf of the Plaintiff.

8 The Court, having reviewed the Plaintiff's Motion, the Opposition, and the Reply, and  
9 having heard the oral arguments of counsel, and good cause appearing, makes the following  
10 findings:

11 1. The costs of the electronic discovery vendors utilized by the SLC in this case  
12 were a reasonable and necessary expense incurred in connection with the action as a method by  
13 which to acquire and process the information that was required to be produced in response to the  
14 Plaintiff's NRCP 56(f) discovery requests, and they are recoverable under NRS 18.005(17). *See*  
15 *also* NRCP 34(d).

16 2. As Nevada counsel for the SLC, Mr. Peek's travel expenses for attending the  
17 depositions were reasonable and necessary, and are recoverable under NRS 18.005(15).  
18 However, the travel expenses of co-counsel incurred in attending the depositions were not. None  
19 of the travel expenses for attending hearings are recoverable under NRS 18.005.

20 3. The costs related to photocopies were reasonable and necessary, are recoverable  
21 under NRS 18.005(12), and are better documented than those discussed in *Cadle Co. v. Woods &*  
22 *Erickson, LLP*, 131 Nev. Adv. Op. 15, 345 P.3d 1049 (2015).

23 4. The costs of "real time" court reporting services, same-day rough transcripts, and  
24 expedited transcripts are not recoverable under NRS 18.005(2), nor are they recoverable under  
25 NRS 18.005(17) as a reasonable and necessary expense incurred in connection with the action.  
26 The remaining costs related to court reporting and videographer services were reasonable and  
27 necessary and are recoverable under NRS 18.005(2) and NRS 18.005(17), respectively.

28 5. The costs related to long distance telephone calls were adequately supported and

1 are reasonable and necessary, and are recoverable under NRS 18.005(13).

2 6. The postage costs were sufficiently documented and are reasonable and  
3 necessary, and are recoverable under NRS 18.005(14).

4 Having made the foregoing findings, and good cause appearing,

5 IT IS HEREBY ORDERED that Plaintiff's Motion is GRANTED in part and DENIED in  
6 part as follows:

7 1. The Motion is GRANTED in part with respect to travel expenses for the SLC's  
8 out-of-state counsel, and all expenses related to travel for hearings, which are retaxed in the  
9 amount of \$20,025.73.

10 2. The Motion is GRANTED as to the costs related to "real time" services, which  
11 are retaxed in the amount of \$2,407.50 and with respect to next-day expedited transcripts and  
12 same-day rough copies of transcripts in the amount of \$7,222.50. The Motion is DENIED with  
13 respect to costs related to court reporter's fees, deposition transcripts, and videographer's fees,  
14 leaving \$9,316.15 in recoverable court reporter's fees.

15 3. The Motion is DENIED as to expenses related to travel by Mr. Peek for  
16 depositions, which are recoverable in the amount of \$3,653.96.

17 4. The Motion is DENIED with respect to the electronic discovery costs, which are  
18 recoverable in the full amount of \$151,178.32.

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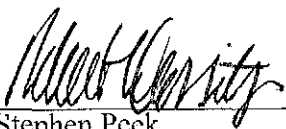
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

1           5.       The Motion is DENIED with respect to the costs related to photocopies, long  
2 distance telephone calls, and postage, which are recoverable in the amount of \$21,952.17.

3           DATED this 5<sup>th</sup> day of Jan ~~December~~, 2016.

4  
5   
DISTRICT COURT JUDGE

6 Respectfully submitted by:

7   
8  
9 J. Stephen Peck  
Robert J. Cassity  
HOLLAND & HART LLP  
10 9555 Hillwood Drive, 2nd Floor  
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11  
12 Holly Stein Sollod (*pro hac vice*)  
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18 *Attorneys for the Special Litigation Committee*  
19 *of DISH Network Corporation*  
20  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**September 10, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**September 10, 2013      8:30 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Boschee, Brian W.      Attorney  
                 Miller, William      Attorney  
                 Reisman, Joshua H.      Attorney  
                 Rugg, Jeffrey S.      Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME...

STIPULATION AND ORDER TO CONTINUE HEARING AND SET BRIEFING SCHEDULE ON PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION...

MOTION TO ASSOCIATE COUNSEL ON AN ORDER SHORTENING TIME

Attorneys Jeremy Friedman and Mark Lebovitch of Bernstein Litowitz Berger & Grossmann LLP (New York), present with counsel for Plaintiff.

Attorney Brian Frawley of Sullivan & Cromwell LLP (New York) & Attorney Tariq Mundiya of Willkie Farr & Gallagher LLP (New York), present with Defense counsel.

Attorney Mark Ferrario and co-counsel Greg Markel, present on behalf of Defendant Steven Goodbarn.

Mr. Ferrario advised Pro Hac Vice papers for Mr. Markel will be filed today.

MOTION TO ASSOCIATE COUNSEL ON AN ORDER SHORTENING TIME: Court advised it does not read letters from counsel. Mr. Boschee requested the Court hear the motion to associate counsel before the motion to expedite discovery and stated no objection to the Court hearing from out-of-state counsel who have not filed a motion to associate. Mr. Rugg stated no objection to Plaintiff's motion and advised Mr. Ferrario's papers are with the State bar. Mr. Ferrario stated no objection to the motion with the stipulation that Mr. Markel can address the Court today. COURT ORDERED, motion to associate counsel (Friedman and Lebovitch) is GRANTED. As for other motions to associate, the Court will sign an OST as soon as papers are received from the State Bar.

PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME...STIPULATION AND ORDER TO CONTINUE HEARING AND SET BRIEFING SCHEDULE ON PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION: Mr. Lebovitch requested 30 to 45 days followed by a request for injunctive relief. Discussion regarding expedited discovery. Mr. Boschee confirmed they have enough information to file a motion for preliminary injunction. Court DIRECTED counsel to file the motion including information currently at hand and with the understanding there may be additional information before the preliminary injunction hearing is scheduled. Mr. Boschee advised it will be filed by Friday, September 13th. COURT ORDERED, motion to be SET on OST. Matter SET for status check on requested discovery on September 19th. If parties wish to call in, a telephone conference is to be arranged with the Department the day before.

9-19-13 8:30 AM STATUS CHECK: REQUESTED DISCOVERY...PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME...STIPULATION AND ORDER TO CONTINUE HEARING AND SET BRIEFING SCHEDULE ON PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**September 19, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**September 19, 2013      8:30 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Boschee, Brian W.      Attorney  
                 Ferrario, Mark E., ESQ      Attorney  
                 Reisman, Joshua H.      Attorney  
                 Rugg, Jeffrey S.      Attorney

**JOURNAL ENTRIES**

- STIPULATION AND ORDER TO CONTINUE HEARING AND SET BRIEFING SCHEDULE ON PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION...

...PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME...

...STATUS CHECK: REQUESTED DISCOVERY...

...MOTION TO ASSOCIATE COUNSEL ON AN ORDER SHORTENING TIME (GREGORY MARKEL, ESQ. AND MARTIN SEIDEL, ESQ.)...

...DEFENDANT CHARLES W. ERGEN'S MOTION TO ASSOCIATE COUNSEL AND EX PARTE MOTION FOR AN ORDER SHORTENING TIME (JAMES DUGAN, ESQ.; TARIQ MUNDIYA; MARY K. WARREN, ESQ.)...

...MOTION FOR PRELIMINARY INJUNCTION AND FOR DISCOVERY ON AN ORDER SHORTENING TIME

Also present: Attorney Mark Lebovitch, counsel for Plaintiff. Attorneys Brian Frawley, Tariq Mundiya, and Gregory Markel, for the Defense.

Court's disclosure regarding Attorney Maximilien Fetaz, present in the gallery.

COURT ORDERED, motions to associate GRANTED. Orders signed in open court and returned for filing.

Arguments by counsel. COURT finds the formation of a Special Litigation Committee is an important step for the company, and ORDERED, Plaintiff will make a DEMAND of the Special Litigation Committee within twenty-four hours, or DUE by Monday, September 23rd, at 10 AM Pacific Standard Time; the Special Litigation Committee will RESPOND to the demand by October 3, 2013 at noon Pacific Standard Time; this does not mean they have to complete their investigation. A Status Report is DUE by close of business on October 3, 2013 Pacific Standard Time. Matter SET for Status Check on the October 4, 2013 Chambers Calendar. Written Decision to ISSUE. Upon inquiry of counsel, Court CLARIFIED Plaintiff has not conceded anything. Court stated it PREFERS separate status reports.

10-4-13 - CHAMBERS STIPULATION AND ORDER TO CONTINUE HEARING AND SET BRIEFING SCHEDULE ON PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION...PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME...STATUS CHECK: REQUESTED DISCOVERY...MOTION FOR PRELIMINARY INJUNCTION AND FOR DISCOVERY ON AN ORDER SHORTENING TIME...STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 04, 2013**

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A-13-686775-B	Jacksonville Police and Fire Pension Fund, Plaintiff(s) vs. Charles Ergen, Defendant(s)
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October 04, 2013	3:00 AM	Motion to Associate Counsel
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**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Associate (van Kwawegen) is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

Mr. Boschee is to be notified via minute order to prepare the Order and notify the appropriate parties.

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Jeremy S. Friedman, Esq. (JeremyF@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); Jeroen Van Kwawegen, Esq. (jeroen@blbglaw.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Robert Cassity, Esq. (bcassity@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); Brian Frawley, Esq. (frawleyb@sullcrom.com); Mark Ferrario, Esq. (ferrariom@gtlaw.com); Gregory A. Markel, Esq. (Gregory.Markel@cwt.com). / dr 10-4-13



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 04, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**October 04, 2013      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- STIPULATION AND ORDER TO CONTINUE HEARING AND SET BRIEFING SCHEDULE ON PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION...

...PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO (1) EXPEDITE DISCOVERY AND (2) SET A HEARING ON MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME...

STATUS CHECK: REQUESTED DISCOVERY...

...MOTION FOR PRELIMINARY INJUNCTION AND FOR DISCOVERY ON AN ORDER SHORTENING TIME...

...STATUS CHECK...

The Court having reviewed the Motion for Preliminary Injunction and for Discovery, the Motion to Expedite Discovery, the status reports filed by the parties including counsel for the Special Litigation committee, the resolution creating the Special Litigation committee, and the related briefing and being fully informed, GRANTS the motion for expedited discovery and SETS the hearing for the preliminary injunction on November 12, 2013 at 9:30 a.m. The Court notes that the resolution creating the Special Litigation Committee does not specifically address the issues related to the

LightSquared bankruptcy and anticipates its investigation occurring after the auction. Given the relief sought in the preliminary injunction, the Court GRANTS the request for expedited discovery IN PART. Within 7 judicial days, DISH will produce the items identified as 1-3 on page 13 of the motion filed on 8/14/2013 and take the depositions identified as 1-4 on page 13 of the motion filed on 8/14/2013 and item number 4 on page 12 of the motion filed on 9/13/2013. If Dish makes a claim of privilege to any document responsive to these requests, for each communication or document, the party withholding a document shall specifically identify the author (and their capacity) of the document; the date on which the document was created; a brief summary of the subject matter of the document; if the document is a communication -- the recipient, sender and all others (and their respective capacities) provided with a copy of the document; other individuals with access to the document (and their respective capacities); the type of document; the purpose for creation of the document; and a detailed, specific explanation as to why the document is privileged or otherwise immune from discovery. Counsel for Plaintiffs is directed to submit a proposed order consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and argument. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order or judgment.

Mr. Boschee is to be notified via minute order to prepare the Order and notify the appropriate parties.

11-12-13      9:30 AM      PRELIMINARY INJUNCTION HEARING

CLERK'S NOTE: Separate minute order to ISSUE on Motion to Associate Counsel (Kwawegen) on OST also set on today's Chambers calendar.

A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Jeremy S. Friedman, Esq. (JeremyF@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); Jeroen Van Kwawegen, Esq. (jeroen@blbglaw.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Robert Cassity, Esq. (bcassity@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); Brian Frawley, Esq. (frawleyb@sullcrom.com); Mark Ferrario, Esq. (ferrariom@gtlaw.com); Gregory A. Markel, Esq. (Gregory.Markel@cwt.com). / dr 10-4-13

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 18, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**October 18, 2013      1:15 PM      Telephonic Conference**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Boschee, Brian W.      Attorney  
Lebovitch, Mark      Attorney  
Reisman, Joshua H.      Attorney  
Rugg, Jeffrey S.      Attorney

**JOURNAL ENTRIES**

- Also present: Stephen Peek, Brian Frawley, Tariq Mundiya, and Mark Lebovitch. All parties present telephonically.

Mr. Lebovitch advised documents were produced on Tuesday, October 15th however, privilege logs were only received late on the night of October 17th; noted the depositions will begin on Tuesday, October 22nd; and requested to file a brief under seal in order for the Court to review the documents prior to depositions being taken. Arguments by Counsel. Statements by the Court. COURT ORDERED, Briefing Schedule SET as follows:

Opening brief by 10/18/13; Response by Wednesday, 10/23/13; and matter SET for hearing, conditional on receiving the brief from Plaintiffs with an Order Shortening Time accompanied by an Application to File Under Seal.

10/28/13 8:00 AM ARGUMENT

\*CLERK'S NOTE: Per Law Clerk, brief was received and matter SET for Hearing./kh 10-21-13. The above Minute Order was updated to reflect the correct briefing schedule./kh 10-22-13

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 23, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**October 23, 2013      2:30 PM      Telephonic Conference**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Lebovitch, Mark	Attorney
	Miller, William	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney

**JOURNAL ENTRIES**

- Also appearing telephonically: Brian Frawley, Esq. for the individual Defendants; Matthew Freimuth, Esq. of Wilkie Farr & Gallagher LLP for Deft Charles Ergen; J. Stephen Peek, Esq., on behalf of the Special Litigation Committee; an unidentified representative also from Wilkie Farr & Gallagher LLP.

Court acknowledged receipt of the OST by email regarding Deft Ergen's deposition. Mr. Reisman advised Mr. Mundiya, who has been communicating daily with Mr. Lebovitch, cannot be present as he is on a flight. They have offered to produce Mr. Ergen for deposition on November 3, 4, and 5; however, Mr. Lebovitch is unavailable on November 3rd for personal reasons; a lot has happened since two weeks ago and they will not be able to resolve outstanding issues if the deposition goes forward on October 25th. Mr. Reisman requested the deposition take place after the hearing on October 28th when issues are resolved; they have offered to produce with the understanding the deposition will only be taken once prior to the preliminary injunction hearing as their client has meetings he is tied up with. Mr. Rugg advised they have reviewed the documents labeled as privileged but need to Bates label them. Mr. Frawley stated they can probably be produced two to

three days at worst. COURT ORDERED, Mr. Ergen's deposition will go forward as scheduled. If more documents are ordered produced on October 28th counsel will have the ability to schedule notice Mr. Ergen's deposition prior to the November 12th hearing.

10-28-13      8:00 AM      ARGUMENT...MOTION TO COMPEL PRODUCTION ON AN ORDER  
SHORTENING TIME

11-12-13      9:30 AM      PRELIMINARY INJUNCTION HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 28, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**October 28, 2013      8:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Boschee, Brian W.      Attorney  
                 Kwawegen, Jeroen Van      Attorney  
                 Miller, William      Attorney  
                 Reisman, Joshua H.      Attorney  
                 Rugg, Jeffrey S.      Attorney

**JOURNAL ENTRIES**

- MOTION TO COMPEL PRODUCTION ON AN ORDER SHORTENING TIME...  
...ARGUMENT...  
...PLAINTIFF'S NOTICE OF MOTION AND MOTION TO SEAL MOTION TO COMPEL  
PRODUCTION ON AN ORDER SHORTENING TIME...  
...DISH NETWORK CORPORATION'S MOTION FOR ORDER PERMITTING FILING UNDER SEAL  
OPPOSITION TO MOTION TO COMPEL PRODUCTION...  
...DEFENDANT CHARLES W. ERGEN'S MOTION FOR ORDER PERMITTING FILING UNDER  
SEAL DEFENDANT CHARLES W. ERGEN'S OPPOSITION TO PLAINTIFF'S MOTION TO  
COMPEL PRODUCTION

Maximilien Fetaz, Esq., present with Mr. Rugg.  
Appearing telephonically: Stephen Peek, Esq.,; Tariq Mundiya, Esq.; and Brian Frawley, Esq.

COURT ORDERED, Plaintiff's request to seal hearing DENIED. Upon Mr. Boschee's inquiry, Court

noted man in the audience is in court for the 9 AM criminal calendar. Arguments by counsel regarding documents. Letter submitted by Mr. Boschee and copy of board minutes submitted by Mr. Rugg MARKED as Court's Exhibits 1 and 2, respectively, LODGED UNDER SEAL. COURT FURTHER ORDERED, all pending motions to seal ADVANCED and GRANTED as unopposed. Court finds, Mr. Ergen failed to demonstrate that Mr. Kiser was acting as his agent; for purposes of transactions being reviewed the attorney client privilege on documents that Mr. Kiser was copied is OVERRULED. With respect to issues related to communications characterized as common interest or blending of lines an in camera review of those documents will be done. Written Decision by minute order will ISSUE. Mr. Rugg provided the box of documents in open court and placed on the record the items which are on the privilege log. Mr. Mundiya advised Mr. Kiser's documents can be produced by this afternoon. Mr. Boschee stated they are missing board minutes for the 17th and 24th and have a copy of those of the first. Mr. Frawley advised board minutes will be produced later this week after they are shared with the Board. Court stated if parties are unable to reach an agreement this can be addressed via telephone conference.

CLERK'S NOTE: Motions to Seal previously set on 11-22-13 (Plaintiff's Notice of Motion and Motion to Seal Motion to Compel Production on an Order Shortening Time) and 12-6-13 (Dish Network Corporation's Motion for Order Permitting filing under Seal Opposition to Motion to Compel Production; Defendant Charles W. Ergen's Motion for Order Permitting Filing Under Seal Defendant Charles W. Ergen's Opposition to Plaintiff's Motion to Compel Production) in Chambers were reset on today's oral calendar per counsel's request.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 30, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**October 30, 2013      8:30 AM      Telephonic Conference**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Boschee, Brian W.      Attorney  
                         Lebovitch, Mark      Attorney  
                         Miller, William      Attorney  
                         Mundiya, Tariq      Attorney  
                         Reisman, Joshua H.      Attorney  
                         Rugg, Jeffrey S.      Attorney

**JOURNAL ENTRIES**

- Also appearing via telephone: Attorney Robert Cassity on behalf of the Special Litigation Committee; Attorney Brian Frawley on behalf of Nominal Defendant Dish Network and Individual Defendants except Charles Ergen.

Present in the courtroom: Attorney Maximilien Fetaz.

Court acknowledged receipt of missive and OST. Mr. Rugg advised they are seeking relief from the Court's ruling based upon yesterday's bankruptcy ruling and explained the request. Court noted perhaps a hearing should be set so parties can have the opportunity to brief the issue and a discussion is held. Mr. Rugg stated they requested the telephone conference today due to the deposition set for tomorrow. Colloquy regarding transcript of bankruptcy proceedings. Mr. Boschee stated no objection to a hearing on Friday; however, his concern is that assuming the preliminary injunction hearing goes forward on November 12th he does not believe the deposition tomorrow cannot be reset before the 12th; Plaintiff requests the Court's order remain in place and the deposition

go forward tomorrow. Nominal Defendant Dish Network Corporation and Director Defendants' Motion for NRCP 60(b) Relief and Protective Order on Order Shortening Time SIGNED IN OPEN COURT and RETURNED to Mr. Fetaz for filing. Statement by Mr. Lebovitch regarding witnesses' availability for deposition and prejudice suffered if deposition is rescheduled pending the Court's decision. COURT ORDERED, the deposition will GO FORWARD as scheduled until ordered otherwise. Matter SET for Hearing on Friday, November 1st. Counsel to provide courtesy copy of OST and exhibits.

11-1-13 9:00 AM NOMINAL DEFENDANT DISH NETWORK CORPORATION AND  
DIRECTOR DEFENDANTS' MOTION FOR NRCP 60(b) RELIEF AND PROTECTIVE ORDER ON  
ORDER SHORTENING TIME

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 31, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**October 31, 2013      4:30 PM      Decision**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court having reviewed in chambers the Document proffered as "27", Court's Ex. 1, by counsel for Ergen, determines that no valid basis exists on which withholding production of the document on the basis of "privilege" can be made.

The Court having reviewed in chambers the documents identified as:

72-74, 134-35, 149-151, 357-358, 419-420, 434-435, 439-441, 447, 450, 451, 452, 453, 456, 457-458, 495-497, 552, 596-597, and 616-617,

collectively marked as Court's Exhibit 2, the player list as Court's Exhibit 3 and the privilege log marked as Court's Exhibit 4, SUSTAINS the assertion of privilege as identified on the privilege log. While certain communications appear to exist between Mr. Ergen's personal counsel at Willkie and counsel for Dish, the nature of the communications lends credence to the position that a common legal interest existed for purposes of the reviewed documents; accordingly the claims of privilege on the identified documents are sustained.

Court's exhibits 1 and 2 are SEALED as they contain commercially sensitive information subject to a protective order for discovery purposes.

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Jeremy S. Friedman, Esq. (JeremyF@blbglaw.com); William Miller, Esq. (wmiller@nevadafirm.com); Jeroen Van Kwawegen, Esq. (jeroen@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Robert Cassity, Esq. (bcassity@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); Brian Frawley, Esq. (frawleyb@sullcrom.com). / dr 10-31-13

CLERK'S NOTE: Minutes corrected to reflect documents 134-35 were also reviewed in chambers and part of the set collectively marked as Court's Exhibit 2. Minutes distributed to counsel listed above. / dr 11-1-13

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**November 01, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**November 01, 2013      9:00 AM      Motion for Relief**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Miller, William	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney

**JOURNAL ENTRIES**

- Appearing via telephone: Attorney Mark Lebovitch for the Plaintiff; Attorneys J. Stephen Peek and C. Barr Linn for the Special Litigation Committee; Attorney Brian Frawley for Nominal Defendant Dish Network and the Individual Defendants except Charles Ergen; Attorney Tariq Mundiya for Defendant Charles Ergen.

Attorney Maximilien Fetaz, present with Mr. Rugg.

Argument in support of the motion by Mr. Rugg based upon the October 29, 2013 bankruptcy court ruling and a request to seek relief from the Court's prior order; parties should be able to set aside expedited discovery and the preliminary injunction hearing and move forward. Mr. Reisman concurred. Argument in opposition by Mr. Boschee; Plaintiff plans to file under seal Mr. Goodbarn's deposition transcript as a supplement; the Preliminary Injunction Hearing is still necessary and all that needs to be done before then is submit briefing. Argument in reply by Mr. Rugg noting disputes that still need to be addressed. COURT ORDERED, Preliminary Injunction Hearing VACATED and RESET on 11/25/13. If anyone is unavailable on this date the Court will discuss other options.

Mr. Lebovitch requested the Hearing not be set on the day before bidding takes place. Court admonished counsel not to reference the deposition transcript to which confidentiality has been raised in open court. Upon Court's inquiry, all parties agreed to the November 25th setting. Court noted no witnesses, only briefs and affidavits, hearing to last 2 to 3 hours at most. COURT ORDERED, Plaintiff to submit briefing by 11/8/13; Defts by 11/20/13. Each side to email proposed Findings of Fact and Conclusions of Law in MS Word format in advance of the hearing. Parties to follow the State of Nevada Supreme Court Rule on sealing and redacting records.

Upon inquiry of the Court, Mr. Rugg advised they do not need the extra copies of documents submitted on October 28, 2013 for in camera review.

11-25-13      10:00 AM      PRELIMINARY INJUNCTION HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**November 25, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**November 25, 2013      10:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Boschee, Brian W.      Attorney  
                 Kwawegen, Jeroen Van      Attorney  
                 Lebovitch, Mark      Attorney  
                 Miller, William      Attorney  
                 Mundiya, Tariq      Attorney  
                 Reisman, Joshua H.      Attorney  
                 Rugg, Jeffrey S.      Attorney

**JOURNAL ENTRIES**

- MOTION TO UNSEAL PLAINTIFF'S SUPPLEMENT TO MOTION FOR PRELIMINARY  
INJUNCTION AND APPENDIX OF EXHIBITS TO MOTION FOR PRELIMINARY INJUNCTION  
ON AN ORDER SHORTENING TIME...  
...PRELIMINARY INJUNCTION HEARING...  
...MOTION TO ASSOCIATE COUNSEL (DAVID MCBRIDE)...  
...MOTION TO ASSOCIATE COUNSEL (ROBERT BRADY)...  
...MOTION TO ASSOCIATE COUNSEL (C. BARR FLINN)

Also present: Attorneys Brian Frawley and Maximilien Fetaz for the Individual Defendants, except Charles Ergen, and Nominal Defendant Dish Network; J. Stephen Peek, Robert Cassity, C. Barr Flinn, and Robert Brady for the Special Litigation Committee of Dish Network Corporation; Adam Hollander for the Plaintiff; Bobby L. Deal, Client Representative for the Plaintiff (Asst. Chief

Community Affairs Division of the Office of the Sheriff, Consolidated City of Jacksonville).

At counsel's request, and there being no objection, MOTIONS TO ASSOCIATE McBride, Flinn, and Brady originally set on 12/20/13 in Chambers, ADVANCED to today's date and GRANTED.

As to the MOTION TO UNSEAL, Mr. Boschee advised they have agreed to withdraw it at this time. Mr. Frawley stated Dish and the other Defendants will proceed publicly and will raise any concerns if any. Documents submitted by Plaintiff: Powerpoint presentation; trustee's objection; filing from LBAC; MARKED and LODGED as Court's Exhibits 1, 2, and 3. (See worksheet.) Argument in support of the motion for preliminary injunction by Mr. Lebovitch, referring to Slide 23 of the Plaintiff's presentation on the issue of whether Mr. Ergen was aware of the Special Transaction Committee's formation; on-going breach; the May 8th resolution; relief sought to enjoin Defendant Ergen and his loyalists on the Board from controlling Dish's bid. Mr. Lebovitch clarified relief sought. At Mr. Peek's request, Court RECESSED for counsel to set up materials.

Proceedings RESUMED. Argument in opposition by Mr. Peek, noting the importance of spectrum to the future of Dish and the purchase price of \$2.2 Billion. LUNCH RECESS.

Proceedings RESUMED. Further argument by Mr. Peek, citing pages 235 to 239 of Mr. Goodbarn's deposition and noting Plaintiff's failure to meet their burden. Judge Chapman's decision submitted to the Court MARKED and LODGED as Court's Exhibit 4. (See worksheet.) Arguments by Mr. Rugg and Mr. Reisman. RECESS.

Proceedings RESUMED. Colloquy regarding Plaintiff's Proposed Order. Continued argument by Mr. Lebovitch. RECESS.

Proceedings RESUMED. Discussion regarding definition of the stalking horse bid parties. Upon Court's inquiry, Mr. Peek confirmed he would like to supplement Exhibit 61 with 61-A. Mr. Rugg advised they have not seen Plaintiff's proposed Findings of Fact and Conclusions of Law, and did not know Plaintiff would change what they were going to say from the complaint. Mr. Reisman stated he had nothing further to add. Final argument by Mr. Lebovitch. Upon Court's inquiry, and upon consultation with co-counsel, Mr. Peek stated on behalf of the Special Litigation Committee they have nothing further to add other than 61-A. All other parties stated no further additions. COURT ORDERED, any modifications to previously submitted proposed Findings of Fact and Conclusions of Law based upon today's arguments and exhibits are to be SUBMITTED via ELECTRONIC MAIL prior to 9:00 AM tomorrow in MS Word format to the Judicial Executive Assistant and the Department Law Clerk. Written Decision to ISSUE.

11/26/13 - CHAMBERS DECISION: MOTION FOR PRELIMINARY INJUNCTION



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**November 26, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**November 26, 2013      3:00 AM      Decision**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Decision made. See Findings of Fact and Conclusions of Law filed 11/27/13.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**December 19, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**December 19, 2013      8:30 AM      Motion For  
Reconsideration**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	FETAZ, MAXIMILIEN D	Attorney
	Lebovitch, Mark	Attorney
	Miller, William	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney

**JOURNAL ENTRIES**

- Also present: Attorney J. Stephen Peek for the Special Litigation Committee.

Argument in support of the motion by Mr. Boschee noting this is technically a motion under 2.24 and that they did not intend to change the order until the bankruptcy proceedings played out. Upon Court's inquiry, Mr. Boschee stated Mr. Dugan is Rachel Strickland's partner. Arguments in opposition by Mr. Rugg, Mr. Reisman, and Mr. Peek. Statement by the Court regarding Dish's counsel being the primary mouthpiece communicating with the Judge. COURT stated findings, and ORDERED, motion denied as no modification of this Court's order is required.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**December 20, 2013**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**December 20, 2013      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- PLAINTIFF'S NOTICE OF MOTION AND MOTION TO REDACT PLAINTIFF'S SUPPLEMENT TO MOTION FOR PRELIMINARY INJUNCTION AND SEAL APPENDIX OF EXHIBITS TO PLAINTIFF'S SUPPLEMENT TO MOTION FOR PRELIMINARY INJUNCTION...DEFENDANT CHARLES W. ERGEN'S MOTION FOR ORDER PERMITTING REDACTION OF HIS OPPOSITION TO PLAINTIFF'S SUPPLEMENT TO MOTION FOR PRELIMINARY INJUNCTION, AND FILING UNDER SEAL THE APPENDIX OF EXHIBITS THERETO

Plaintiffs motion to Seal (and related motion to Unseal and Ergen's Motion) discussed in open court on 11/25. See minutes. In accordance with stipulation announced at that time, Motions GRANTED.

CLERK S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Jeremy S. Friedman, Esq. (JeremyF@blbglaw.com); William Miller, Esq. (wmiller@nevadafirm.com); Jeroen Van Kwawegen, Esq. (jeroen@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Robert Cassity, Esq. (bcassity@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Maximilien Fetaz, Esq. (mfetaz@bhfs.com); Brian Frawley, Esq. (frawleyb@sullcrom.com). / dr 12-23-13

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**December 27, 2013**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**December 27, 2013      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Billie Jo Craig

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- DEFENDANTS CLAYTON, DEFRANCO, MOSKOWITZ, CANTEY ERGEN AND VOGEL'S MOTION FOR ORDER TO REDACT SUPPLEMENTAL BRIEF IN OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND FILING UNDER SEAL OF EXHIBITS ATTACHED THERETO...

MOTION TO REDACT PORTIONS OF THE SPECIAL LITIGATION COMMITTEE'S REPORT REGARDING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND TO SEAL CERTAIN EXHIBITS ATTACHED THERETO...

PLAINTIFF'S NOTICE OF MOTION AND MOTION TO REDACT PLAINTIFF'S REPLY TO DEFENDANTS' SUPPLEMENTAL OPPOSITIONS AND SPECIAL LITIGATION COMMITTEE'S REPORT

Upon review of the papers and pleadings on file in this matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e), the three Motions to Seal and/or Redact are deemed unopposed. Therefore, good cause appearing, COURT ORDERED, all three Motions are GRANTED as the information sought to be protected is commercially sensitive and relates to ongoing commercial negotiations. Respective moving counsel to each prepare and submit an Order within ten (10) days and distribute a filed copy to all parties involved in this matter. Attorneys Jeffrey S. Russ, J. Stephen Peek, and Brian Boschee to be notified

by way of minute order to prepare the order and notify appropriate parties.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of:

Jeffrey S. Russ, Esq. (Brownstein HFS); J. Stephen Peek, Esq. (Holland & Hart); Brian Boschee, Esq. (Cotton DWHW&T).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**January 10, 2014**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**January 10, 2014      3:00 AM      Motion to Associate  
Counsel**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Associate (Sollod) is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: Order has been filed. A copy of this minute order was placed in the attorney folder(s) of: Brian Boschee, Esq. (Cotton, Driggs W, H, W & T); Kirk Lenhard, Esq. (Brownstein Hyatt); J. Stephen Peek, Esq. (Holland Hart); Joshua Reisman, Esq. (Reisman Sorokac). / dr 1-10-14

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**January 24, 2014**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**January 24, 2014      3:00 AM      Motion to Associate  
Counsel**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Associate (Hollander) is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

Mr. Boschee is to be notified by way of minute order to prepare the order and notify the appropriate parties.

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Brian Frawley, Esq. (frawleyb@sullcrom.com).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**March 26, 2014**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**March 26, 2014      8:00 AM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court SETS a status check in this matter on the Chambers calendar in four weeks.

4-25-14      -      CHAMBERS      STATUS CHECK

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Brian Frawley, Esq. (frawleyb@sullcrom.com).



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**April 25, 2014**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**April 25, 2014      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED for six weeks. Counsel to SUBMIT a status report.

6-6-14      -      CHAMBERS      STATUS CHECK

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq. (bboschee@nevadafirm.com); Mark Lebovitch, Esq. (markl@blbglaw.com); Joshua Reisman, Esq. (jreisman@rsnvlaw.com); Tariq Mundiya, Esq. (tmundiya@willkie.com); J. Stephen Peek, Esq. (speek@hollandhart.com); Kirk Lenhard, Esq. (klenhard@bhfs.com); Jeffrey Rugg, Esq. (jrugg@bhfs.com); Brian Frawley, Esq. (frawleyb@sullcrom.com).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**June 06, 2014**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**June 06, 2014      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Sharon Chun

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, status check CONTINUED two weeks. Counsel are to appear and provide status at that time.

Mr. Boschee is to notify all appropriate parties of this continuance.

STATUS CHECK CONTINUED TO: 6/19/14 8:30 AM

CLERK'S NOTE: A copy of this minute order has been distributed to:

Brian W. Boschee (COTTON, DRIGGS, WALCH, et al) E-mail: [bboschee@nevadafirm.com](mailto:bboschee@nevadafirm.com)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****June 19, 2014**

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
    vs.  
    Charles Ergen, Defendant(s)

**June 19, 2014      8:30 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Dugan, James	Attorney
	Fetaz, Maximilien D.	Attorney
	Frawley, Brian T.	Attorney
	Kwawegen, Jeroen Van	Attorney
	Lebovitch, Mark	Attorney
	Miller, William N.	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney

**JOURNAL ENTRIES**

- Appearances continued: Attorney J. Stephen Peek and Attorney Comrie Barr Flinn, counsel for the Special Litigation Committee, and Lawrence Katzin, Client Representative, of nominal Defendant Dish Network. Mr. Katzin participated telephonically.

Court stated its reasons for setting the oral status check. Mr. Boschee advised their plan is to fast track the case, understanding an order will be issued by the bankruptcy court anytime soon; within 5 to 10 days of that order, Plaintiff intends to file an amended complaint; they suspect some motion practice thereafter, but want to do discovery as quickly as possible even while motions are pending; they will notify the Court once the bankruptcy order is entered. Mr. Rugg stated 28 days was previously agreed to but longer might be better. Mr. Peek advised the Committee has not begun its investigation

because they have not seen what the complaint will be; given the preview today they would like as much time to do their report and request 60 days. Court noted, given Mr. Peek's timeline it will probably not be looking at argument until about 4 to 5 months. Mr. Peek and Mr. Boschee stated about 2 and a half. Court advised parties of its schedule during the CityCenter trial, and ORDERED, counsel to file notice after the order from bankruptcy court is entered; within 10 days or so, Plaintiff will file their amended complaint; about 1 week after the filing, a conference call will be held after everyone has read the complaint and has had a better idea of what the Special Litigation Committee's investigation will be, including the timeline. Mr. Boschee is in charge of setting up the conference call about one week after filing the amended complaint.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**August 06, 2014**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**August 06, 2014      11:00 AM      Telephonic Conference**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Fetaz, Maximilien D.	Attorney
	Flinn, C. Barr	Attorney
	Frawley, Brian T.	Attorney
	Hollander, Adam D.	Attorney
	Miller, William N.	Attorney
	Mundiya, Tariq	Attorney
	Peek, Joseph S.	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney

**JOURNAL ENTRIES**

- Appearances continued: Attorney Emily Burton of Young Conaway Stargatt & Taylor, LLP for the Special Litigation Committee.

Court acknowledged receipt of the Special Litigation Committee's report with proposed dates submitted yesterday and noted all parties have reviewed it. Following arguments by counsel on the proposed schedule, COURT ORDERED, deadlines set as follows:

Motions    8/29/14

Oppositions 9/19/14

Replies 10/2/14

Special Litigation Committee's Report 10/24/14

Hearing SET on October 28, 2014 with the understanding that this may be rescheduled depending on what is contained in the report. Parties are on notice that the hearing may also be moved to a Monday depending on the Court's schedule in the CityCenter trial. Colloquy between Court and counsel regarding briefing and the report in light of new claims for relief.

10-28-14 8:30 AM HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**August 29, 2014**

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A-13-686775-B	Jacksonville Police and Fire Pension Fund, Plaintiff(s) vs. Charles Ergen, Defendant(s)
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<b>August 29, 2014</b>	<b>3:00 AM</b>	<b>Motion to Seal/Redact Records</b>
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**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Redact Second Amended Complaint is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. All defendants SHALL BE SERVED with an unredacted version of the pleading subject to the terms of the Stipulated Protective Order. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

Mr. Boschee is to be notified by way of minute order to prepare the Order and notify the appropriate parties.

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to: Brian Boschee, Esq.; William Miller, Esq.; Mark Lebovitch, Esq.; Jeroen Van Kwawegen, Esq.; Adam Hollander, Esq.; Kirk Lenhard, Esq.; Jeffrey Rugg, Esq.; Joshua Reisman, Esq.; Tariq Mundiya, Esq.; J. Stephen Peek, Esq.; Robert Cassity, Esq.; Brian Frawley, Esq.; David McBride, Esq.; Robert S. Brady, Esq.; C. Barr Flinn, Esq.; Holly Stein Sollod, Esq.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 24, 2014**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**October 24, 2014      3:00 AM      Motion**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Redact Plaintiff's Opposition to the Motion to Dismiss is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

Mr. Boschee is to be notified by way of minute order to prepare the order and notify the appropriate parties.

CLERK'S NOTE: A copy of the above minute order was distributed via the E-Service Master List.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 27, 2014**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**October 27, 2014      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- DEFENDANTS THOMAS A. CULLEN, KYLE J. KISER, AND R. STANTON DODGE'S MOTION TO ASSOCIATE TYLER JOHANNES, ESQ....  
...DEFENDANTS THOMAS A. CULLEN, KYLE J. KISER, AND R. STANTON DODGE'S MOTION TO ASSOCIATE MATTHEW DIRISIO, ESQ....  
...DEFENDANTS THOMAS A. CULLEN, KYLE J. KISER, AND R. STANTON DODGE'S MOTION TO ASSOCIATE BRUCE BRAUN, ESQ.

Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no oppositions have been filed. Accordingly, pursuant to EDCR 2.20(e) the Motions to Associate Counsel (Johannes, DiRisio, and Braun) are deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motions are GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: The Order Granting Motions to Associate Bruce R. Braun, Matthew L. DiRisio, and Tyler G. Johannes was filed on 11/4/14, and notice of entry of the Order on 11/5/14. / dr

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**October 30, 2014**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**October 30, 2014      8:00 AM      Telephonic Conference**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea  
Andrea Natali

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Cassity, Robert J.	Attorney
	Fetaz, Maximilien D.	Attorney
	Flinn, C. Barr	Attorney
	Frawley, Brian T.	Attorney
	Lebovitch, Mark	Attorney
	Miller, William N.	Attorney
	Mundiya, Tariq	Attorney
	Peek, Joseph S.	Attorney
	Pisanelli, James J.	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney
	Spinelli-Hays, Debra L.	Attorney

**JOURNAL ENTRIES**

- Also participating by telephone: Attorney Bruce Braun of the Law Firm of Winston & Strawn LLP in Chicago, Illinois (Pro Hac Vice), for Defendants R. Stanton Dodge, Kyle Kiser, and Thomas Cullen.

Court acknowledged receipt of the status report from Mr. Boschee. Mr. Peek stated this is his request for a telephonic conference pursuant to the August 6, 2014 status conference; contrary to what the

Plaintiff is suggesting, the Special Litigation Committee is not asking for a stay but simply responding to the Court's comments on August 6; if the Court accepts the Special Litigation Committee's report and agrees the case should be terminated then 3 of the 4 motions to dismiss will be moot and potentially moot the Committee's motion to dismiss. Mr. Lebovitch responded to Mr. Peek's comments noting the latter speaks of standing, which goes to a demand futility argument, and that merits discovery takes time. Mr. Peek further argued as to whether the case should proceed on behalf of Jacksonville or the Special Litigation Committee, as to 3 of the 4 motions to dismiss being decided based upon the Report, and that the Special Litigation Committee's motion to dismiss will be filed on November 17. Court inquired as to the status and parties involved in litigation in Colorado Federal Court. Mr. Flinn advised discovery in that case has not yet started. Mr. Frawley stated Defendants filed a motion to dismiss, Harbinger has yet to respond, and they expect the motion to be fully briefed in mid-December. Mr. Peek concurred with the Court that it is a follow-on to adverse proceedings in Bankruptcy Court. Mr. Lebovitch argued he is not sure that is what they should be called. Court clarified that it meant the action is continued dysfunction between Harbinger and Dish over their business relationship that was questioned as part of adversary proceedings, and added, because the Court is still in jury selection in the CityCenter trial, the motions to dismiss in the instant case scheduled on November 10, 2014 will be moved to a date everyone agrees to set Mr. Peek's motion to dismiss, and all motions will be heard together; if the Court makes a determination factual discovery should occur before the Special Litigation Committee's motion to dismiss then the other motions will be decided as to pleading standard issues. Following discussion on possible hearing dates and briefing schedule, COURT ORDERED, matter SET for status check on the November 21, 2014 Chambers calendar, by which time parties are to SUBMIT a stipulation on the briefing schedule to reset all current motions to dismiss and set the Special Litigation Committee's motion to dismiss; the Court will accept a status report, although it would PREFER a stipulation.

11-21-14 - CHAMBERS STATUS CHECK: STIPULATION / STATUS REPORT ON  
BRIEFING FOR MOTIONS TO DISMISS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**November 07, 2014**

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A-13-686775-B	Jacksonville Police and Fire Pension Fund, Plaintiff(s) vs. Charles Ergen, Defendant(s)
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<b>November 07, 2014</b>	<b>3:00 AM</b>	<b>Motion</b>	<b>Plaintiff's Motion to Redact Plaintiff's Opposition to the Officer Defendants' Motion to Dismiss the Second Amended Complaint</b>
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**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:**

**COURT CLERK:** Andrea Natali

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed.

Accordingly, pursuant to EDCR 2.20(e) the Plaintiff's Motion to Redact Opposition is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, as commercially sensitive information governed by the protective order is included in the pleading, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: A copy of the above minute order was distributed to the parties via electronic mail. (11/7/14 amn)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**November 21, 2014**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**November 21, 2014      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:**

**COURT CLERK:** Andrea Natali

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- PLAINTIFF JACKSONVILLE POLICE AND FIRE PENSION FUND'S MOTION TO ASSOCIATE COUNSEL (GREGORY E. DEL GAZIO, ESQ. AND MICHAEL J. NICOUD, ESQ.) ..... STATUS CHECK: STIPULATION / STATUS REPORT ON BRIEFING FOR MOTIONS TO DISMISS

Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motion to associate (Del Gazio and Nicoud) is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter

CLERK'S NOTE: A copy of the above minute order was distributed to the parties via electronic mail (11/24/14 amn). The minutes were corrected to reflect the appropriate counselors name based on the moving documents; therefore, an amended copy of the above minute order was immediately recalled and re-distributed to the parties via electronic mail (11/24/14 amn).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**December 05, 2014**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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<b>December 05, 2014</b>	<b>3:00 AM</b>	<b>Motion to Seal/Redact Records</b>	<b>The Special Litigation Committee of Nominal Defendant Dish Network Corporations' Motion to Redact the Special Litigation Committee's Report and to Seal Certain Exhibits Thereto</b>
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**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:**

**COURT CLERK:** Andrea Natali

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, Special Litigation Committee's Motion to Redact CONTINUED six (6) weeks pursuant to request of counsel in supplemental brief filed 12/4/14.

CONTINUED TO: 1/16/15 (CHAMBERS)

CLERK'S NOTE: A copy of the foregoing minute order was distributed to counsel electronically via the Eight Judicial District Court e-file and serve system (12/8/14 amn).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**January 12, 2015**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**January 12, 2015      10:30 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Cassity, Robert J.	Attorney
	Del Gaizo, Gregory Eric	Attorney
	Flinn, C. Barr	Attorney
	Frawley, Brian T.	Attorney
	Kwawegen, Jeroen Van	Attorney
	Lebovitch, Mark	Attorney
	Miller, William N.	Attorney
	Mundiya, Tariq	Attorney
	Peek, Joseph S.	Attorney
	Pisanelli, James J.	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney
	Spinelli-Hays, Debra L.	Attorney

**JOURNAL ENTRIES**

- HEARING...

...THE OFFICER DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT...  
...DEFENDANT CHARLES W. ERGEN AND CANTEY M. ERGEN'S MOTION TO DISMISS THE  
SECOND AMENDED DERIVATIVE COMPLAINT OF JACKSONVILLE POLICE AND FIRE  
PENSION FUND...

...THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DISMISS FOR FAILURE TO PLEAD DEMAND FUTILITY...

...THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED...

...DIRECTOR DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT...

...THE SPECIAL LITIGATION COMMITTEE OF NOMINAL DEFENDANT DISH NETWORK CORPORATION'S MOTION TO REDACT THE SPECIAL LITIGATION COMMITTEE'S REPORT AND TO SEAL CERTAIN EXHIBITS THERETO...

...PLAINTIFF'S NOTICE OF MOTION AND MOTION TO REDACT ITS OPPOSITION TO THE SLC'S MOTION TO DEFER TO ITS DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED

Also present: Attorney Bruce Braun for Defendants Thomas Cullen, Kyle Kiser & R. Stanton Dodge.

THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED: Arguments by counsel regarding the SLC's motion to defer. Judge Chapman's findings submitted by Mr. Lebovitch to the Court and MARKED as Court's Exhibit 1; Brian Boschee's affidavit in support of Plaintiff's opposition to SLC's motion to defer MARKED as Court's Exhibit 2. (See worksheet). Upon inquiry of the Court, Mr. Lebovitch advised discovery, without any disputes, will take 150 to 180 days, and agreed to 90. Mr. Peek addressed 56(f) relief. COURT stated findings, and ORDERED, request for 56(f) relief GRANTED; 90-day discovery period PROVIDED related to independence and thoroughness of the SLC investigation; if there are any disputes that prevent completion of discovery within 90 days, the Court will reconsider extending that period; however, if there are no disputes, the 90-day period will stand. Upon its conclusion, counsel are to file supplemental briefs and matter will be heard. Mr. Peek to prepare the order.

THE OFFICER DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT...DEFENDANT CHARLES W. ERGEN AND CANTEY M. ERGEN'S MOTION TO DISMISS THE SECOND AMENDED DERIVATIVE COMPLAINT OF JACKSONVILLE POLICE AND FIRE PENSION FUND...THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DISMISS FOR FAILURE TO PLEAD DEMAND FUTILITY...DIRECTOR DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT: Mr. Peek submitted on his motion to dismiss. Mr. Rugg stated he believes the Court should have additional information regarding the bankruptcy. Comments by Mr. Frawley regarding the fifth proposal now in bankruptcy court and that he believes the SLC should give an update at the end of the 90-day period. Mr. Pisanelli argued motion to dismiss on behalf of the Officer Defendants. Mr. Reisman stated he will rely on the briefs but request supplemental briefing based on what transpires in bankruptcy court. Mr. Frawley stated February 23rd is the current schedule for the bankruptcy trial.

COURT ORDERED, matter SET for status check regarding supplemental filing on the March 6, 2015 Chambers calendar; motions to dismiss CONTINUED thereto; the discovery period will RUN through April 13, 2015; supplemental opposition DUE April 27, 2015; supplemental reply DUE May



8, 2015; hearing on the motion to defer CONTINUED to May 14, 2015 at 8:30 AM.

Colloquy regarding counsel's request to redact two sentences in today's record. COURT ORDERED, transcript and minutes of today's proceedings SEALED.

3-6-15 - CHAMBERS STATUS CHECK...THE OFFICER DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT...DEFENDANT CHARLES W. ERGEN AND CANTEY M. ERGEN'S MOTION TO DISMISS THE SECOND AMENDED DERIVATIVE COMPLAINT OF JACKSONVILLE POLICE AND FIRE PENSION FUND...THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DISMISS FOR FAILURE TO PLEAD DEMAND FUTILITY...DIRECTOR DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT

5-14-15 8:30 AM THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED

CLERK'S NOTE: The Special Litigation Committee of Nominal Defendant Dish Network Corporation's Motion to Redact the Special Litigation Committee's Report and to Seal Certain Exhibits Thereto and Plaintiff's Notice of Motion and Motion to Redact its Opposition to the SLC's Motion to Defer to its Determination that the Claims Should be Dismissed previously set on the January 16, 2015 Chambers calendar ADVANCED to today's oral calendar and GRANTED. / dr

CLERK'S NOTE: Pursuant to the Court's ruling on April 7, 2015, transcript and minutes of January 12, 2015 proceedings are UNSEALED. / dr

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**January 23, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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<b>January 23, 2015</b>	<b>3:00 AM</b>	<b>Motion to Associate Counsel</b>	<b>Defendants Thomas A. Cullen, Kyle J. Kiser and R. Stanton Dodge's Motion to Associate Zachary A. Madonia, Esq.</b>
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**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Associate Counsel (Madonia) is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

Mr. Pisanelli is to be notified by way of minute order to prepare the order and notify the appropriate parties.

CLERK'S NOTE: A copy of the above minute order was served via Wiznet. / dr

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**March 06, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**March 06, 2015      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Court reviewed status report filed 3/5/15, and ORDERED, matter CONTINUED for 45 days.

4-17-15      CHAMBERS      STATUS CHECK: SUPPLEMENTAL FILINGS

CLERK'S NOTE: A copy of the above minute order was distributed to parties via electronic mail.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**March 20, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**March 20, 2015      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- MOTION TO ASSOCIATE COUNSEL (EMILY V. BURTON)...PLAINTIFF JACKSONVILLE POLICE & FIRE PENSION FUND'S MOTION TO UNSEAL TRANSCRIPT OF THE JANUARY 12, 2015 HEARING

MOTION TO ASSOCIATE COUNSEL (EMILY V. BURTON): Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Associate Emily V. Burton is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

Mr. Cassity is to be notified by way of minute order to prepare the order and notify the appropriate parties.

PLAINTIFF JACKSONVILLE POLICE & FIRE PENSION FUND'S MOTION TO UNSEAL TRANSCRIPT OF THE JANUARY 12, 2015 HEARING: Matter SET on the oral calendar in five weeks.

Court also reviewed the Status Report filed 03/06/15. A conference call will be set regarding the current schedule.

4-17-15      CHAMBERS      STATUS CHECK; SUPPLEMENTAL FILINGS

4-21-15      8:30 AM      PLAINTIFF JACKSONVILLE POLICE & FIRE PENSION FUND'S  
MOTION TO UNSEAL TRANSCRIPT OF THE JANUARY 12, 2015 HEARING

5-14-15      8:30 AM      MOTIONS TO DISMISS; MOTION TO DEFER

CLERK'S NOTE: The Motion to Associate Emily V. Burton was previously set on the March 27, 2015 Chambers calendar and advanced to today's date.

A copy of the above minute order was distributed to parties via electronic mail. / dr

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**March 24, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**March 24, 2015      8:30 AM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court ORDERS a Status Check SET on April 7, 2015 at 8:30 AM.

CLERK'S NOTE: Parties notified via electronic mail this date. / dr

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**April 07, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**April 07, 2015      8:30 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boyle, James D.	Attorney
	Braun, Bruce	Attorney
	Burton, Emily V.	Attorney
	Fetaz, Maximilien D.	Attorney
	Flinn, C. Barr	Attorney
	Frawley, Brian T.	Attorney
	Hollander, Adam D.	Attorney
	Kwawegen, Jeroen Van	Attorney
	Mundiya, Tariq	Attorney
	Peek, Joseph S.	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney
	Smith, Jordan T., ESQ	Attorney

**JOURNAL ENTRIES**

- STATUS CHECK...PLAINTIFF JACKSONVILLE POLICE & FIRE PENSION FUND'S MOTION TO UNSEAL TRANSCRIPT OF THE JANUARY 12, 2015 HEARING

Mr. Hollander, Mr. Frawley, Mr. Fetaz, Mr. Braun, Mr. Flinn, Ms. Burton, and Mr. Smith participated telephonically.

PLAINTIFF JACKSONVILLE POLICE & FIRE PENSION FUND'S MOTION TO UNSEAL TRANSCRIPT OF THE JANUARY 12, 2015 HEARING: Mr. Peek advised motion is resolved; he mentioned a word in his argument which Mr. Rugg thought was sensitive, but it is something that has already been mentioned in bankruptcy proceedings; so, there is no need to seal any portion of the transcript; the order has been submitted and the motion would be withdrawn. COURT ORDERED, transcript of January 12, 2015 proceedings UNSEALED.

STATUS CHECK: Mr. Peek stated he thinks the issue here is whether parties can meet their schedule; both sides think all there needs to be is an extension of discovery, i.e. production of documents, the first installment of which has been completed, and taking depositions. Mr. Peek further noted he will be gone in June and July. Mr. Van Kwawegen agreed with Mr. Peek on the scheduling issue. Court reviews proposed stipulation and order submitted by the parties. Mr. Peek added the aspirational goal is June 2nd given the current request for documents and request for depositions; the first week of May will see the second installment of documents; they also need to depose the 3 members; parties anticipate no depositions will be taken until document production is completed. Mr. Van Kwawegen advised there is some dispute over this; they are not taking depositions right now, but want to wait until at least May 8th. Court SIGNED parties' stipulation and order, NOTING, on paragraph 4, the Special Litigation Committee shall complete document production on or before May 8th. Mr. Van Kwawegen further advised there have been important developments in bankruptcy and there is now a confirmed plan. Court noted it will wait until briefing and argument on the motions, unless someone files a motion beforehand.

CLERK'S NOTE: Pursuant to stipulation and order signed this date, the hearing on SLC's Motion to Defer and the various Defendants' and SLC's Motions to Dismiss previously set on May 14, 2015 are all RESET on July 16, 2015 at 8:30 AM.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**April 17, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**April 17, 2015      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Stipulation & Order for schedule signed. COURT ORDERED, matter OFF CALENDAR.

CLERK'S NOTE: A courtesy copy of the above minute order was distributed to parties via Wiznet.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**July 16, 2015**

---

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**July 16, 2015      8:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Braun, Bruce	Attorney
	Cassity, Robert J.	Attorney
	Del Gaizo, Gregory Eric	Attorney
	Fetaz, Maximilien D.	Attorney
	Flinn, C. Barr	Attorney
	Frawley, Brian T.	Attorney
	Hollander, Adam D.	Attorney
	Lebovitch, Mark	Attorney
	Miller, William N.	Attorney
	Mundiya, Tariq	Attorney
	Ortolf, Tom A	Defendant
	Peek, Joseph S.	Attorney
	Pisanelli, James J	Attorney
	Reisman, Joshua H.	Attorney
	Rugg, Jeffrey S.	Attorney
	Sollod, Holly Stein	Attorney

**JOURNAL ENTRIES**

- THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DISMISS FOR FAILURE TO PLEAD DEMAND FUTILITY...

...DIRECTOR DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT...  
...THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DEFER TO THE SLC'S  
DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED...  
...THE OFFICER DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT...  
...DEFENDANT CHARLES W. ERGEN AND CANTEY M. ERGEN'S MOTION TO DISMISS THE  
SECOND AMENDED DERIVATIVE COMPLAINT OF JACKSONVILLE POLICE AND FIRE  
PENSION FUND

Ms. Sollod participated by telephone.

Counsel explained how they have decided to split up time for argument. Special Litigation Committee members Mr. Ortolf, Mr. Brockaw, and Mr. Lewis introduced to the Court. Arguments by Mr. Peek and Mr. Lebovitch. Slides used by Mr. Lebovitch in argument MARKED as Court's Exhibit 1. (See worksheet.) Court noted, Nevada gives strong preference to honoring the business judgment of boards and their committees and recognizes that disclosed conflicts do not necessarily prevent that business judgment from being exercised; here, the Court needs to focus on 2 issues, thoroughness and independence of the Special Litigation Committee; given the unusual voting structure of the Special Litigation Committee, the fact that one member, Mr. Lillis, is clearly not beholden and is therefore independent and is not conflicted, creates for the Court a presumption that the Special Litigation Committee is independent, given all the evidence presented; the issue related to thoroughness is more difficult, given the number of claims and issues presented here and the breadth of the other litigation pending; the standard, here, is whether the Special Litigation Committee made a thorough and good faith investigation, and they did; for that reason, the motion to defer is GRANTED. Motions to dismiss are MOOT. Mr. Peek is DIRECTED to draft Findings of Fact and Conclusions of Law, running it by counsel prior to submission.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****July 17, 2015**

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
    vs.  
    Charles Ergen, Defendant(s)

<b>July 17, 2015</b>	<b>3:00 AM</b>	<b>Motion to Seal/Redact Records</b>	<b>Plaintiff's Motion to Seal Motion to Compel Production</b>
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**HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:****REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) Plaintiff's Motion to Seal Motion to Compel Production is deemed unopposed. However, no good faith basis exists to seal the entire motion. Plaintiff may file a supplemental request to redact the motion and/or seal certain exhibits to the motion. COURT ORDERED, matter CONTINUED to August 14, 2015 in Chambers.

CLERK'S NOTE: A copy of the above minute order was distributed via Wiznet. / dr 7-24-15

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****July 24, 2015**

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

<b>July 24, 2015</b>	<b>3:00 AM</b>	<b>Motion to Seal/Redact Records</b>	<b>Plaintiff's Motion to Seal Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed and Appendix of Exhibits to Supplemental Opposition to the SLC's Motion to Defer to the SLC's Determination That the Claims Should be Dismissed</b>
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**HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:****REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) Plaintiff's Motion to Seal Supplemental Opposition is deemed unopposed. However, no good faith basis exists to seal the entire motion. Plaintiff may FILE a supplemental request to redact the motion and/or seal

PRINT DATE: 02/04/2016

Page 58 of 67

Minutes Date: September 10, 2013

JA010902

certain exhibits to the motion. Matter CONTINUED for 2 weeks.

...CONTINUED: 8-7-15 CHAMBERS

CLERK'S NOTE: A copy of the above minute order was distributed to parties via Wiznet.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**August 07, 2015**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

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**August 07, 2015      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION TO SEAL SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED AND APPENDIX OF EXHIBITS TO SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLCS DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED...  
...PLAINTIFF'S MOTION TO REDACT ITS SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED...  
...THE SPECIAL LITIGATION COMMITTEE'S MOTION TO SEAL SUPPLEMENTAL REPLY IN SUPPORT OF ITS MOTION TO DEFER AND CERTAIN EXHIBITS THERETO

PLAINTIFF'S MOTION TO SEAL SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED AND APPENDIX OF EXHIBITS TO SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLCS DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED...PLAINTIFF'S MOTION TO REDACT ITS SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED: COURT ORDERED, Plaintiff's Motion to Seal is DENIED IN PART. Given the redacted opposition filed, the Motion to Redact the Opposition is GRANTED. The request to seal all of the exhibits in support of the

opposition is DENIED WITHOUT PREJUDICE for the Plaintiff to provide an identification of the specific exhibits to be sealed. The exhibits will REMAIN SEALED for FIVE (5) judicial days. At the conclusion of that time if no new motion to seal is filed, all of the exhibits filed in support of the opposition will be unsealed.

THE SPECIAL LITIGATION COMMITTEE'S MOTION TO SEAL SUPPLEMENTAL REPLY IN SUPPORT OF ITS MOTION TO DEFER AND CERTAIN EXHIBITS THERETO: The Special Litigation Committee's Motion to Redact the Reply is GRANTED. The request to seal all of the exhibits in support of the reply is DENIED WITHOUT PREJUDICE for the Special Litigation Committee to provide an identification of the specific exhibits to be sealed and any redactions proposed for the declarations in support of the reply. The exhibits will REMAIN SEALED for FIVE (5) judicial days. At the conclusion of that time if no new motion to seal is filed, all of the exhibits filed in support of the reply will be unsealed.

CLERK'S NOTE: A copy of the above minute order was distributed to parties via electronic mail. / dr  
8-7-15



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****August 14, 2015**

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
                                  vs.  
                                  Charles Ergen, Defendant(s)

<b>August 14, 2015</b>	<b>3:00 AM</b>	<b>Motion to Seal/Redact Records</b>	<b>Plaintiff's Motion to Seal Motion to Compel Production</b>
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**HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:****REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court having reviewed the Special Litigation Committee s supplement to the Plaintiff's Motion to Seal related to the Motion to Compel, and, good cause having been demonstrated, the motion is GRANTED and the request to seal Exhibit 1 and 2 to the motion to compel is GRANTED, due to the sensitive commercial nature of the confidential information contained in the attorney's notes. Counsel for Special Litigation Committee to prepare a written order.

CLERK'S NOTE: A copy of the above minute order was distributed to parties via Wiznet. / dr 8-14-15

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**August 21, 2015**

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A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
vs.  
Charles Ergen, Defendant(s)

---

**August 21, 2015      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Keri Cromer

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- THE SPECIAL LITIGATION COMMITTEE'S MOTION TO SEAL SUPPLEMENTAL REPLY IN SUPPORT OF ITS MOTION TO DEFER AND CERTAIN EXHIBITS THERETO PLAINTIFF'S MOTION TO REDACT ITS SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED PLAINTIFF'S MOTION TO SEAL SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED AND APPENDIX OF EXHIBITS TO SUPPLEMENTAL OPPOSITION TO THE SLC'S MOTION TO DEFER TO THE SLC'S DETERMINATION THAT THE CLAIMS SHOULD BE DISMISSED

The Court has reviewed the supplements to the motion to seal and redact filed by Plaintiff and the SLC, exhibits 1 and 2 to the motion to compel relate to sensitive business and litigation information and includes attorney work product accordingly the request to seal those exhibits is granted.

The motion to seal the supplemental opposition to the motion to defer is GRANTED IN PART. The following exhibits are permitted to be sealed or redacted as noted below:

- 1 Redacted version due to atty client privilege and atty work product as submitted in supplement
- 2 Redacted version due to atty client privilege and atty work product as submitted in supplement

3 Redacted version due to atty client privilege and atty work product as submitted in supplement  
5 Redact third party email address and resubmit  
6 Sealed due to atty work product and sensitive business information  
9 Sealed due to atty work product and sensitive business information  
10 Sealed due to atty work product and sensitive business information  
12 Sealed due to BK order and sensitive business information  
14 Redact third party email address and resubmit  
16 Redact third party email address and resubmit  
17 Redact third party email address and resubmit  
18 Redact third party email address and resubmit  
20 Redact third party email address and phone numbers and resubmit  
22 Redact third party email address and resubmit  
23 Redact third party email address and resubmit  
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27 Redact third party email address and resubmit  
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30 Redact third party email address and resubmit  
31 Redact third party email address and resubmit  
32 Redact phone number and resubmit  
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42 Redact third party email address and resubmit  
48 Sealed due to atty work product and sensitive business information  
49 Sealed due to atty work product and sensitive business information  
51 Sealed due to atty work product and sensitive business information  
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87 Sealed due to atty work product and sensitive business information  
97 Sealed due to atty work product and sensitive business information  
98 Sealed due to atty work product and sensitive business information

The motion to seal the supplemental reply to the motion to defer is GRANTED IN PART. The following exhibits are permitted to be sealed or redacted as noted below:

D Sealed due to atty work product and sensitive business information  
E Sealed due to atty work product and sensitive business information  
J Sealed due to atty work product and sensitive business information  
K Sealed due to atty work product and sensitive business information

CLERK'S NOTE: The above minute order has been distributed to Brian Boschee, Esq. (702-791-1912), Kirk Lenhard, Esq. (702-382-8135), James Pisanelli, Esq. (702-214-2101), and Joshua Reisman, Esq. (702-446-6756)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****November 24, 2015**

A-13-686775-B      Jacksonville Police and Fire Pension Fund, Plaintiff(s)  
    vs.  
    Charles Ergen, Defendant(s)

**November 24, 2015      8:30 AM      Motion to Retax      Plaintiff's Motion to Retax**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Boschee, Brian W.	Attorney
	Burton, Emily V.	Attorney
	Flinn, C. Barr	Attorney
	Hollander, Adam D.	Attorney
	Lebovitch, Mark	Attorney
	Miller, William N.	Attorney
	Mundiya, Tariq	Attorney
	Peek, Joseph S.	Attorney
	Rugg, Jeffrey S.	Attorney

**JOURNAL ENTRIES**

- Mr. Lebovitch, Mr. Hollander, Mr. Flinn, Ms. Burton, Mr. Rugg, and Mr. Mundiya participated by telephone.

Arguments by Mr. Boschee and Mr. Peek regarding the reasonableness and necessity of costs. COURT ORDERED, Plaintiff's motion to retax GRANTED IN PART. Court finds in this particular case electronic discovery, including electronic search form, was a reasonable and necessary method by which to acquire information that was required to be produced as part of litigation. With respect to depositions and discovery-related travel and lodging, the motion is GRANTED IN PART; travel expenses will be re-taxed with the exception of those for Mr. Peek. Photocopy charges appear to be

reasonable and necessary and given the use of electronically stored information is much less than what one would anticipate in a case like this; long-distance telephone calls appear to be supported; postage service appears to be reasonable. Mr. Peek is ORDERED to SUPPLEMENT with a breakdown respect to the amount of real time premium for deposition costs. All costs PERMITTED except for the premium related to real time.

## VAULT EXHIBIT FORM

CASE NO	6686775	HEARING DATE:	OCT. 28, 2013
DEPT. NO:	XI	JUDGE:	HON. ELIZABETH GONZALEZ
		CLERK	DULCE ROMER
		RECORDER:	JILL HAWKINS
PLAINTIFF:	JACKSONVILLE POLICE & FIRE	JURY FEES:	N/A
	PENSION FUND		
		COUNSEL FOR PLAINTIFF:	BRIAN BOSCHKE;
DEFENDANT:	CHARLES ERGON, CT 91		JORDEN VAN KLUWEGEN; WILLIAM MILLER
		COUNSEL FOR DEFENDANTS:	JEFFREY RUGG;
			JOSHUA RENSMAN; TARIG MUNDIYA; BRIAN FRAWLEY

COURT'S EXHIBIT

[illegible]

# Vault Exhibit Form

CASE NO: <b>AG86775</b>	HEARING DATE: <b>10-31-13</b>
DEPT NO: <b>21</b>	JUDGE: <b>HON. ELIZABETH GONZALEZ</b>
	CLERK: <b>DULCE ROMERA</b>
	RECORDER: <b>N/A</b>
PLAINTIFF: <b>JACKSONVILLE POLICE + FIRE PENSION FUND</b>	JURY FEES: <b>N/A</b>
	COUNSEL FOR PLAINTIFF: <b>BRIAN BOSCHKE, ESQ.</b>
DEFENDANT: <b>CHARLES ERGEN, et al</b>	
	COUNSEL FOR DEFENDANT: <b>JEFFREY RUGG, ESQ.</b>
	<b>JOSHUA REISMAN, ESQ.</b>

## COURT'S EXHIBITS

	Date Offered	Objection	Date Admitted
1) DOCUMENT PROFFERED AS "27" *SEALED*	_____	_____	10-31-13
2) DOCUMENTS IDENTIFIED AS: 72-74; 134-25; 149-151; 357-358; 419-420; 434-435; 439-441; 447; 450; 451; 452; 453; 456; 457-458; 495-497; 552; 596-597, and 616-617 *SEALED*	_____	_____	10-31-13
3) PLAYER LIST	_____	_____	10-31-13
4) PRIVILEGE LOG	_____	_____	10-31-13



# VAULT EXHIBIT FORM

CASE NO: <u>A686775</u>	HEARING DATE: <u>NOV 25 2013</u>
DEPT. NO: <u>87</u>	JUDGE: <u>ELIZABETH GOFF GONZALEZ</u>
	CLERK: <u>DULCE MARIE ROMEA</u>
	RECORDER: <u>JILL HAWKINS</u>
PLAINTIFF: <u>JACKSONVILLE POLICE &amp; FIRE</u>	JURY FEES: <u>N/A</u>
<u>PENSION FUND</u>	
	COUNSEL FOR PLAINTIFF: <u>BRIAN BOSCHER;</u>
DEFENDANT: <u>CHARLES ERGEN, et al.</u>	<u>MARK LEDOVITCH</u>
	COUNSEL FOR DEFENDANT: <u>JEFFREY RUGG;</u>
	<u>JOSHUA REISMAN; J. STEPHEN PEER</u>

COURT'S EXHIBITS	Date Offered	Objection	Date Admitted
1. PLAINTIFF'S POWERPOINT PRESENTATION	_____	_____	11-25-13
2. COPY OF TRUSTEE'S OBJECTION	_____	_____	11-25-13
3. FILING FROM LBAG	_____	_____	11-25-13
4. JUDGE CHAPMAN'S DECISION	_____	_____	11-25-13

## VAULT EXHIBIT FORM

CASE NO: A686775	HEARING DATE: 1-12-15
DEPT. NO: XI	JUDGE: HON. ELIZABETH GONZALEZ
	CLERK: DULCE ROMEA
	RECORDER: JILL HAWKINS
PLAINTIFF: JACKSONVILLE POLICE AND FIRE PENSION FUND	JURY FEES: N/A
	COUNSEL FOR PLAINTIFF: MARK LEOVITCH; WILLIAM MILLER; BRIAN BOSCHIE; JEROEN VAN KWAWEGEN; GREGORY DEL GAIZO
DEFENDANT: CHARLES ERGEN	
	COUNSEL FOR DEFENDANT: J. STEPHEN PEEK; C. BARR FLINN; JEFFREY RUGG; BRIAN FRAWLEY; JAMES PISANELLI; BRUCE BRAUN; JOSHUA REISMAN; TARIQ MUNDIYA

[illegible]

## VAULT EXHIBIT FORM

CASE NO: A686775	HEARING DATE: JULY 16, 2015
DEPT. NO: XI	JUDGE: HON. ELIZABETH GONZALEZ
	CLERK: DULCE ROMEA
	RECORDER: JILL HAWKINS
PLAINTIFF: JACKSONVILLE POLICE AND FIRE PENSION FUND	JURY FEES: N/A
	COUNSEL FOR PLAINTIFF: BRIAN BOSCHEE; MARK LEOVITCH; ADAM HOLLANDER; WILLIAM MILLER; GREGORY DEL GAIZO
DEFENDANT: CHARLES ERGEN, et al	
	COUNSEL FOR DEFENDANT: J. STEPHEN PEEK; ROBERT CASSITY; C. BARR FLINN; JEFFREY RUGG; MAXIMILIEN FETAZ; BRIAN FRAWLEY; TARIQ MUNDIYA; BRUCE BRAUN; JAMES PISANELLI; JOSHUA REISMAN; HOLLY STEIN SOLLOD

[illegible]

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO RETAX; NOTICE OF ENTRY OF ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO RETAX; DISTRICT COURT MINUTES; EXHIBITS LIST

IN RE DISH NETWORK DERIVATIVE  
LITIGATION,

Case No: A686775  
*Consolidated with A688862 &  
A693887*  
Dept No: XI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 4 day of February 2016.

Steven D. Grierson, Clerk of the Court

*Mary Kielty*

Mary Kielty, Deputy Clerk



McDONALD-CARANO-WILSON

2300 W. SAHARA AVENUE, #1000  
LAS VEGAS, NEVADA 89102  
(702) 873-4100NEVADA STATE BANK  
1 West Liberty Street  
Reno, Nevada 89501

25380

94-77/1224

**PAY:** *Two Hundred Fifty and 00/100 Dollars*NUMBER  
000025380DATE  
02/02/2016AMOUNT  
\*\*\*\*\*250.00TO THE  
ORDER  
OF  
**Nevada Supreme Court**

2 SIGNATURES REQUIRED IF OVER \$2500.00

  
MP

SECURITY FEATURES INCLUDED. DETAILS ON BACK.



⑈025380⑈ ⑈122400779⑈0542004562⑈