

Discussion Matters

ITEM 1. APPROVAL OF MINUTES AND SIGNING OF CONSENTS

Mr. David K. Moskowitz, Executive Vice President, General Counsel, Secretary and a member of the Board of Directors, explained that draft minutes of the Annual Meeting of the Board of Directors held on May 11, 2006 were attached as Exhibit 1A to the board book for the meeting.

Electronically Filed
Mar 29 2021 05:51 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

After brief discussion and deliberation, upon motion duly made and seconded, the following resolution was unanimously adopted:

NOW, THEREFORE, BE IT RESOLVED, that the minutes of the Annual Meeting of the Board of Directors of EchoStar Communications Corporation held on May 11, 2006, in substantially the form attached as Exhibit 1A to the board book for the meeting and as modified to incorporate the comments received from Mr. Goodbarn at the meeting, be, and they hereby are, approved, ratified and confirmed in all respects.

ITEM 2. QUARTERLY REVIEW OF OPTION GRANTS TO EMPLOYEES OTHER THAN EXECUTIVE OFFICERS

Mr. Moskowitz reviewed the option grants made to employees other than executive officers during the second quarter. After discussion and deliberation, upon motion duly made and seconded, the following resolution was unanimously adopted:

WHEREAS, the Corporation adopted the Amended and Restated 1999 Stock Incentive Plan (the "Plan"), which Plan provides for the grant of stock options, among other stock-based performance awards, to key employees of the Corporation and its subsidiaries;

WHEREAS, eighty million (80,000,000) shares of Class A Common Stock, \$0.01 par value per share ("Common Stock"), of the Corporation have been reserved for issuance under the Plan;

WHEREAS, the Board of Directors has established the Executive Compensation Committee to administer the Plan;

WHEREAS, Management believes: (i) that officers and other key employees, who are in a position to make a substantial contribution to the long-term success of the Corporation and to build stockholder value, should have a stake in the Corporation's ongoing success; and (ii) that this focuses attention on managing the Corporation as an owner with an equity position in the Corporation's business and seeks to align the officers' and key employees' interests with the long-term interests of stockholders;

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WHEREAS, the Plan was adopted by the Board of Directors and approved by stockholders in recognition of Management's belief;

WHEREAS, (i) awards under the Plan follow a review of the individual employee's performance, position in the Corporation, long-term potential contribution to the Corporation and the number of options previously granted to the employee; and (ii) neither Management nor the Board of Directors assigns specific weights to these factors, although the employee's position and a subjective evaluation of his or her performance are considered most important;

WHEREAS, generally, the number of options granted to an employee reflect his or her level of responsibility, position in the Corporation and potential to contribute to the long-term success of the Corporation or otherwise achieve significant corporate goals;

WHEREAS, however, the number of options granted to specific employees are not based on any objective criteria;

WHEREAS, options are generally granted to director level and above employees, although in certain circumstances options are granted to certain other employees based on length of service or contribution to the Corporation;

WHEREAS, Charles W. Ergen, Chairman and Chief Executive Officer of the Corporation, desires to: (i) incentivize certain new employees and certain employees receiving promotions who are in a position to make a substantial contribution to the long-term success of the Corporation and to build stockholder value; and (ii) reward certain key employees of the Corporation and its subsidiaries, in connection with their efforts during the past year, and provide them with an incentive to continue to help build the success of the Corporation, which rewards and incentives add value to the Corporation that is at least equal to the fair market value of the shares of the Corporation's Common Stock that these employees will receive through the Plan;

WHEREAS, at the Annual Meeting of the Board of Directors held on May 11, 2006, (i) the Board of Directors delegated to Mr. Ergen, the authority as Chairman of the Board of Directors, to make grants of options to purchase the Common Stock and other equity securities of the Corporation, effective at the end of each quarter, to new employees and existing employees of the Corporation and its subsidiaries in connection with hiring, promotion or other recognition, as Mr. Ergen deems appropriate, without further need to consult with or seek prior approval from the full Board of Directors or the Executive Compensation Committee, consistent with the criteria established for the Plan; and (ii) the Board of Directors resolved that the actions taken by Mr. Ergen in connection therewith shall be deemed approved, ratified and confirmed by the Board of Directors and the Executive Compensation Committee as of the date such action is taken; provided however, that Mr. Ergen shall have no authority to make grants to (a)

Section 16 reporting officers and directors of the Corporation; (b) "affiliates" of the Corporation, as such term is used in Section 16 of the Securities Exchange Act of 1934, and as interpreted by the General Counsel of the Corporation; (c) in excess of one hundred thousand (100,000) shares to an individual employee at or below the Vice President level; or (d) in excess of five hundred thousand (500,000) shares to an individual employee at or above the Senior Vice President level, without further approval of the Executive Compensation Committee;

WHEREAS, the Chairman has made the grant of options to purchase shares of the Corporation's Common Stock ("Options") to those employees of the Corporation and its subsidiaries who are not executive officers set forth in the list attached as Exhibit A to these minutes, and in such amounts as set forth opposite each employee's name on such list under the terms of the Plan and an incentive stock option agreement to be approved by the Chief Executive Officer of the Corporation; and

WHEREAS, (i) the date of grant of such Options is June 30, 2006 (the "Grant Date"); (ii) such Options vest at the rate of 20% per year, with the first 20% of such Options vesting on the date which is one year after the Grant Date and 20% thereafter on the anniversary of the Grant Date for each of the following four years; (iii) the exercise price for each share of Common Stock shall be equal to the closing price, as reported on the National Association of Securities Dealers Automated Quotation System, for shares of the Common Stock on the Grant Date, or the last business day prior to such date in the event that such date falls on a weekend or holiday; and (iv) such Options expire ten years from the Grant Date;

NOW, THEREFORE, BE IT RESOLVED, that, after due consideration, the Board of Directors hereby determines that the grant of such Options is consistent with the authority delegated to the Chairman at the Annual Meeting of the Board of Directors held on May 11, 2006.

ITEM 3. VICE CHAIRMAN'S REPORT

Mr. Vogel presented a report on the general state of the business of the Corporation and other matters, including among other things a second quarter year-to-date financial review and discussion of executive staffing. Mr. Vogel distributed a copy of his financial presentation at the meeting and responded to several questions from the members of the Board of Directors in attendance at the meeting.

ITEM 4. APPROVAL OF ANY REG. S-K ITEM 404 "RELATED PARTY" TRANSACTIONS AND ANY "SENSITIVE TRANSACTIONS"

Mr. Moskowitz led a discussion regarding certain potential new SEC Regulation S-K Item 404 "Related Party" transactions and other "Sensitive Transactions", as defined by the 2005 Audit Committee Recommendations to generally mean: (i) any non-ordinary course transaction requiring over \$5,000,000 of expenditures; (ii) related-party transactions; (iii) transactions of a

highly confidential nature; (iv) transactions which grant exclusive rights or most favored nations status to any third party; or (v) any other transaction which by its nature should reasonably be considered sensitive.

Mr. Moskowitz explained that, during 2006, Mr. Gary Turner, a principal of Turner Media Group, rented a personal asset from Mr. Howard at market rates (the "Howard Transaction"). Mr. Moskowitz further explained that, during 2005, the Corporation (or one of its subsidiaries) paid Turner Media Group which provides programming, marketing and other services to the Corporation (or one of its subsidiaries) approximately \$15.3 million, representing approximately 25% of Turner Media Group's total revenue. Mr. Moskowitz further explained that neither the Corporation nor any of its subsidiaries, nor any of its or their directors or executive officers, has any ownership or other personal financial interest in Turner Media Group.

Mr. Vogel then explained that he had agreed to serve as a director of Shaw Communications Inc. ("Shaw"), a diversified Canadian communications company whose core business is providing broadband cable television, high-speed Internet, digital phone, telecommunications services and satellite direct-to-home services to over three million customers, and that he has beneficial ownership of approximately 35,000 shares of Shaw common stock (the "Vogel Transaction").

After discussion and deliberation, upon motion duly made and seconded, the following resolutions were unanimously adopted, with Mr. Howard abstaining with respect to the resolutions pertaining to the Howard Transaction and Mr. Vogel abstaining with respect to the resolutions pertaining to the Vogel Transaction:

WHEREAS, the Howard Transaction and Vogel Transaction may potentially be considered related party transactions under SEC Regulation S-K, Item 404 and therefore, out of an abundance of caution, the Board of Directors has been asked to approve such transactions;

Howard Transaction

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby determines (a) that the Howard Transaction does not involve a "corporate opportunity", and (b) that, although the Board of Directors recognizes the potential appearance of a conflict of interest, the Howard Transaction is an arm's length transaction based upon the above-referenced discussions with Mr. Moskowitz, the information provided by Mr. Howard at the meeting, and upon such other matters as are deemed relevant by the Board of Directors, including among other things that Mr. Howard does not presently have any decision making authority with respect to any relationships between the Corporation and its affiliates, on the one hand, and Turner Media Group and its affiliates, on the other hand; and further

RESOLVED, that, for a period of 2 years from August 2, 2006, Mr. Howard shall recuse himself from any matters presented to the Board of Directors (or its committees) that directly involve Turner Media Group or any of its affiliates; and further

Vogel Transaction

RESOLVED, that the Board of Directors hereby waives any conflict of interest (whether actual or potential) in connection with the Vogel Transaction; and further

RESOLVED, that, for so long as Mr. Vogel is a member of the Board of Directors of Shaw or retains a significant financial stake in Shaw, Mr. Vogel shall recuse himself from any matters presented to the Board of Directors (or its committees) that directly or indirectly involve Shaw or ExpressVu or any of their affiliates; and further

General Enabling Resolutions

RESOLVED, that the proper officers of the Corporation and its subsidiaries, be and each one of them acting alone or with one or more other proper officers hereby is, authorized, empowered and directed, in the name and on behalf of the Corporation and its subsidiaries, and under their corporate seals or otherwise, from time to time, to make, execute and deliver, or cause to be made, executed and delivered, all such other and further agreements, certificates, instruments or documents, to pay or reimburse all such filing fees and other costs and expenses, and to do and perform or cause to be done or performed all such acts and things, as in their discretion or in the discretion of any of them may be necessary or desirable to enable the Corporation and its subsidiaries to accomplish the purposes and to carry out the intent or the foregoing resolutions; and further

RESOLVED, that any and all actions previously taken by any of the proper officers of the Corporation and its subsidiaries within the terms of the foregoing resolutions be, and the same hereby are, ratified, and confirmed in all respects.

ITEM 5. APPROVAL OF FORM AND FILING OF QUARTERLY REPORT ON FORM 10-Q

Mr. Moskowitz distributed a revised draft of the Form 10-Q at the meeting, which showed in redline form the changes that had been made to the draft Form 10-Q previously distributed to the members of the Audit Committee and the members of the Board of Directors. Mr. Moskowitz then walked through the material changes that had been made to the previous draft of the Form 10-Q. Mr. Moskowitz, in his capacity as General Counsel of the Corporation, also distributed updated draft disclosures regarding certain significant litigation in which the Corporation and/or its affiliates are presently involved. Mr. Moskowitz explained that such draft

disclosures and any ensuing discussions regarding them were subject to the attorney/client and work product privileges.

Mr. Moskowitz informed the members of the Board of Directors that the Audit Committee has recommended that the Board of Directors approve: (a) as to form the draft Form 10-Q previously distributed to the members of the Audit Committee and the members of the Board of Directors, with such changes as the General Counsel and Chief Financial Officer of the Corporation shall deem necessary and appropriate; and (b) the filing with the Securities and Exchange Commission of the Form 10-Q (with any such changes), at such time as the General Counsel and Chief Financial Officer of the Corporation shall determine.

After discussion and deliberation, upon motion duly made and seconded, the following resolutions were unanimously adopted:

WHEREAS, the Corporation is required to file with the Securities and Exchange Commission (the "Commission") by August 9, 2006, a Quarterly Report on Form 10-Q for the quarter ended June 30, 2006 (the "Form 10-Q");

WHEREAS, a draft of the Form 10-Q proposed to be filed with the Commission was distributed at the meeting (the "Draft Form 10-Q"), and each member of the Board of Directors has read the Draft Form 10-Q and has provided all comments and responses they deem necessary and appropriate to the General Counsel and Chief Financial Officer of the Corporation (or their designees);

WHEREAS, the Draft Form 10-Q contains quarter-end financial statements of the Corporation that were reviewed by KPMG LLP;

WHEREAS, management has recommended that the Audit Committee approve (a) as to form the Draft Form 10-Q, with such changes as the General Counsel and Chief Financial Officer of the Corporation shall deem necessary and appropriate, and (b) the filing with the Commission of the Form 10-Q (with any such changes), at such time as the General Counsel and Chief Financial Officer of the Corporation shall determine; and

WHEREAS, the Audit Committee has (a) approved, ratified and confirmed the recommendation of management concerning the approval (i) as to form of the draft Form 10-Q previously distributed to the members of the Audit Committee and the members of the Board of Directors, with such changes as the General Counsel and Chief Financial Officer of the Corporation shall deem necessary and appropriate, and (ii) of the filing with the Commission of the Form 10-Q (with any such changes), at such time as the General Counsel and Chief Financial Officer of the Corporation shall determine; and (b) recommended that the Board of Directors approve (i) as to form the draft Form 10-Q previously distributed to the members of the Audit Committee and the members of the Board of Directors, with such changes as the General Counsel and Chief Financial Officer of the Corporation shall deem necessary and appropriate, and (ii) the filing with the

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Commission of the Form 10-Q (with any such changes), at such time as the General Counsel and Chief Financial Officer of the Corporation shall determine;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves, ratifies and confirms the recommendation of the Audit Committee concerning the approval as to form and filing of the Form 10-Q; and further

RESOLVED, that the Draft Form 10-Q, in substantially the form distributed at the meeting, be, and it hereby is, approved as to form with such changes as the General Counsel and Chief Financial Officer of the Corporation shall deem necessary and appropriate; and further

RESOLVED, that the Form 10-Q, in substantially the form distributed at the meeting, with such changes as the General Counsel and Chief Financial Officer of the Corporation shall deem necessary and appropriate, be filed with the Commission at such time as the General Counsel and Chief Financial Officer of the Corporation shall determine; and further

RESOLVED, that the General Counsel and Chief Financial Officer be, and they collectively hereby are, authorized, empowered and directed to prepare or cause to be prepared, to execute or cause to be executed, and to file or cause to be filed with the Commission such amendments and supplements to the Form 10-Q as they, collectively, may deem necessary or desirable, or as may be required by the Commission; and further

RESOLVED, that, in the event that an amendment or supplement to the Form 10-Q is filed, the members of the Board of Directors shall be provided with redline copies of the revised Form 10-Q showing the changes that were made; and further

RESOLVED, that the proper officers of the Corporation be, and each one of them acting alone or with one or more other proper officers hereby is, authorized, empowered and directed, in the name and on behalf of the Corporation and under its corporate seal or otherwise, from time to time, to make, execute and deliver, or cause to be made, executed and delivered, all such other and further agreements, certificates, instruments or documents, to pay or reimburse all such filing fees and other costs and expenses, and to do and perform or cause to be done or performed all such acts and things, as in their discretion or in the discretion of any of them may be necessary or desirable to enable the Corporation to accomplish the purposes and to carry out the intent or the foregoing resolutions; and further

RESOLVED, that any and all actions previously taken by any of the proper officers within the terms of the foregoing resolution be, and the same hereby is, ratified, and confirmed in all respects.

ITEM 6. DISCUSSION OF POSSIBLE PARTICIPATION IN AWS AUCTION

Mr. Vogel led a discussion regarding the proposed participation of the Corporation or one or more of its subsidiaries in the upcoming spectrum auction for Advanced Wireless Services (AWS). Mr. Vogel noted that, to assist the members of the Board of Directors with their consideration of this agenda item, materials summarizing the proposed participation in the AWS auction were attached as Exhibit 7A, Exhibit 7B, Exhibit 7C and Exhibit 7D to the board book for the meeting. Mr. Vogel explained the strategic reasons for, the anticipated benefits to be derived from, and the risks associated with, participation in the AWS spectrum auction.

Among other things, Mr. Vogel discussed the status of DirecTv as a joint-bidder with the Corporation (or one or more of its subsidiaries) in the AWS auction. Mr. Vogel then discussed various strategic alternatives to participation in the AWS auction that are available to the Corporation. Mr. Vogel then walked the members of the Board of Directors through the presentation attached as Exhibit 7A to the board book for the meeting. Among other things, Mr. Vogel discussed the risks associated with various bidding strategies, and discussed potential exit strategies. Mr. Vogel then reviewed the current cash position of the Corporation and its subsidiaries. Mr. O. Nolan Daines, Executive Vice President of Business Development for the Corporation, then led a discussion regarding the auction procedures. A general discussion followed regarding the AWS auction disclosure in the draft Form 10-Q distributed at the meeting.

After discussion and deliberation, upon motion duly made and seconded, the following resolutions were unanimously adopted:

NOW, THEREFORE, BE IT RESOLVED, that the Corporation and its subsidiaries, be, and they hereby are, authorized in all respects to commit up to one-half of the total up-front payment required to be eligible to bid on all licenses at the upcoming AWS spectrum auction, provided that in no event shall the commitment of the Corporation and its subsidiaries exceed \$2 billion (plus up to an additional \$3 billion, provided management is confident that financing can be secured for any commitment above \$2 billion in any combination of unsecured and secured debt securities at a rate not to exceed 8.5%), as determined and on such terms and conditions approved by the Chairman and Chief Executive Officer and Executive Vice President, General Counsel, and Secretary of the Corporation (each, a "proper officer" and collectively, the "proper officers"), or either of them, in their discretion; and further

RESOLVED, the Corporation and its subsidiaries, be, and they hereby are, authorized in all respects to bid up to \$2 billion (plus up to an additional \$3 billion, provided management is confident that financing can be secured for any commitment above \$2 billion in any combination of unsecured and secured debt securities at a rate not to exceed 8.5%) at the upcoming AWS spectrum auction, as determined by the Chairman and Chief Executive Officer and Executive Vice President, General Counsel, and Secretary of the Corporation (each, a "proper

officer" and collectively, the "proper officers"), or either of them, in their discretion; and further

RESOLVED, that the proper officers be and each one of them acting alone or with one or more proper officers hereby is, authorized, empowered and directed to consummate in the name of and on behalf of the Corporation and its subsidiaries, the participate in the AWS spectrum auction as authorized above, as determined and on such terms and conditions approved by the proper officers (or any one of them) in their discretion; and

RESOLVED, that the proper officers of the Corporation and its subsidiaries, be and each one of them acting alone or with one or more other proper officers hereby is, authorized, empowered and directed, in the name and on behalf of the Corporation and its subsidiaries, and under their corporate seals or otherwise, from time to time, to make, execute and deliver, or cause to be made, executed and delivered, all such other and further agreements, certificates, instruments or documents, to pay or reimburse all such filing fees and other costs and expenses, and to do and perform or cause to be done or performed all such acts and things, as in their discretion or in the discretion of any of them may be necessary or desirable to enable the Corporation and its subsidiaries to accomplish the purposes and to carry out the intent or the foregoing resolutions; and further

RESOLVED, that any and all actions previously taken by any of the proper officers of the Corporation and its subsidiaries within the terms of the foregoing resolutions be, and the same hereby are, ratified, and confirmed in all respects.

ITEM 7. DISCUSSION OF POSSIBLE WORLDSpace TRANSACTIONS

Mr. Vogel led a discussion regarding a potential strategic opportunity with respect to WorldSpace Satellite Radio. A summary of the strategic opportunity was distributed at the meeting. After discussion, no resolutions were proposed.

ITEM 8. DISCUSSION OF POSSIBLE ALCATEL TRANSACTIONS

Mr. Vogel led a discussion regarding certain transactions being considered in connection with a possible partnership with Alcatel for the utilization of S-Band spectrum to provide mobile video services in Europe. A summary of Mr. Vogel's presentation was distributed at the meeting. Mr. Vogel explained the strategic reasons for, the anticipated benefits to be derived from, and the risks associated with, the proposed transactions. Mr. Howard requested that management research certain aspects of the tax structuring of the proposed transactions. After discussion, no resolutions were proposed.

ITEM 9. LITIGATION UPDATE

Mr. Moskowitz, in his capacity as General Counsel of the Corporation, presented a report on the status of the significant litigation in which the Corporation and/or its affiliates are presently involved. Mr. Moskowitz explained that his report and any ensuing discussions were subject to the attorney/client and work product privileges.

ITEM 10. APPROVAL OF AMENDED AND RESTATED AUDIT COMMITTEE CHARTER

Mr. Moskowitz presented a report regarding certain proposed changes to the Amended and Restated Audit Committee Charter, which were shown in redline form in the revised charter attached as Exhibit 6A to the board book for the meeting. Mr. Moskowitz noted that the Audit Committee has recommended that the Board of Directors approve, ratify and adopt in all respects the Amended and Restated Charter of the Audit Committee, in substantially the form attached as Exhibit 6A to the board book for the meeting.

After discussion and deliberation, upon motion duly made and seconded, the following resolutions were unanimously adopted:

WHEREAS, the Audit Committee has recommended that the Amended and Restated Charter of the Audit Committee, in substantially the form attached as Exhibit 6A to the board book for the meeting, be approved, ratified and adopted by the Board of Directors in all respects;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves, ratifies and confirms the recommendation of the Audit Committee concerning the approval, ratification and adoption of the Amended and Restated Charter of the Audit Committee Charter; and further

RESOLVED, that the Board of Directors after due deliberation hereby approves, ratifies and adopts the Amended and Restated Charter of the Audit Committee of the Board of Directors of EchoStar Communications Corporation, in substantially the form attached as Exhibit 6A to the board book for the Meeting; and further

RESOLVED, that the proper officers of the Corporation be, and each one of them acting alone or with one or more other proper officers hereby is, authorized, empowered and directed, in the name and on behalf of the Corporation and under its corporate seal or otherwise, from time to time, to make, execute and deliver, or cause to be made, executed and delivered, all such other and further agreements, certificates, instruments or documents, to pay or reimburse all such filing fees and other costs and expenses, and to do and perform or cause to be done or performed all such acts and things, as in their discretion or in the discretion of any of them may be necessary or desirable to enable the Corporation to accomplish the purposes and to carry out the intent or the foregoing resolutions; and further

RESOLVED, that any and all actions previously taken by any of the proper officers within the terms of the foregoing resolutions be, and the same hereby are, ratified, and confirmed in all respects.

ITEM 11. DISCUSSION OF COMPETITORS' TECHNOLOGY

In response to a question from Mr. Schroeder, Mr. Vogel led a discussion regarding certain technology being employed by the Corporation's existing and potential competitors.

ITEM 12. SCHEDULING OF NEXT REGULAR MEETINGS OF THE BOARD OF DIRECTORS AND AUDIT COMMITTEE

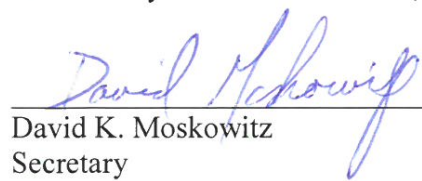
Mr. Moskowitz led a discussion regarding the scheduling of the next regular meetings of the Board of Directors and Audit Committee. Mr. Moskowitz noted that, to assist the members of the Board of Directors with their consideration of possible dates for such meetings, a calendar for November 2006 had been attached as Exhibit 12A to the board book for the meeting, and the last day to file the Form 10-Q for the quarter ending September 30, 2006 had been marked on the calendar. The next regular meeting of the Audit Committee was tentatively scheduled for November 1, 2006 at 9:00 a.m., prevailing Mountain Time, at the Corporation's Meridian campus. The next regular meeting of the Board of Directors was tentatively scheduled for November 6, 2006 at 1:00 p.m., prevailing Mountain Time, at the Corporation's Meridian campus, to be followed by a dinner a location and time to be determined.

ITEM 13. QUARTERLY BOARD EDUCATION

Messrs. Daniel G. Dufner, Jr., a partner in White & Case's Mergers & Acquisitions Practice Group, and John M. Reiss (*via teleconference*), Global Co-head of White & Case's Mergers and Acquisitions Practice Group, delivered a presentation regarding the recent opinion issued by the Delaware Supreme Court affirming the Court of Chancery's decision in the *Disney* litigation. A summary of their presentation was attached as Exhibit 11A to the board book for the meeting. Mr. Reiss then provided an update on other recent corporate governance developments, including among other things, developments with respect to the recent *KPMG* case, the Foreign Corrupt Practices Act (FCPA), and the "Thomson Memorandum", which is now binding on all Federal prosecutors with respect to various principles of prosecuting business organizations. Messrs. Dufner and Reiss then responded to several questions from the members of the Board of Directors.

Termination

There being no further business to come before the meeting, the meeting was, upon motion duly made and seconded, terminated at 5:45 p.m., prevailing Mountain Time.


David K. Moskowitz
Secretary

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Exhibit A

Awards of Options to Employees other than Executive Officers

<u>Name</u>	<u>Number of Shares</u>	<u>Status</u>	<u>Department</u>
Robert F. Rehg	25,000	Promotion (SVP)	Business Dev.
Carolyn R. Crawford	10,000	New Hire (VP)	Programming
Robert J. Chorba	5,000	Promotion (director)	CSC
Mark Cohen	5,000	New Hire (director)	CSC
Nileen J. Weaver	5,000	Promotion (director)	CSC
Benjamin Novy	2,500	New Hire (director)	HR

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Message

From: Moskowitz, David [/O=ECHOSTAR COMMUNICATIONS CORP/OU=ECHOSTAR/CN=RECIPIENTS/CN=DAVID MOSKOWITZ]
Sent: 8/8/2006 2:13:31 PM
To: Ergen, Charlie [charlie.ergen@echostar.com]; 'diane.bailey@stanford.edu' [diane.bailey@stanford.edu]
CC: Dugan, Mike [mike.dugan@echostar.com]; Steele, Dana [dana.steele@echostar.com]; Blum, Jeffrey [jeffrey.blum@echostar.com]
Subject: RE: FCC violations, please note

Dear Ms. Bailey,

I apologize for the inconvenience these calls have caused you. As Charlie mentioned below, EchoStar subscribers and strictly adheres to all Do Not Call lists.

Unfortunately, we have recently been experiencing instances where third parties have been calling consumers and representing themselves as DISH Network. In violation of Do Not Call requirements, these companies typically use phone lines which do not identify the caller, or one way lines which can not be called back. Consequently, it is very difficult for EchoStar to track down and take action against the offending companies.

Among other action we are taking to try to end this practice, we have filed litigation against unknown companies, which we hope will give us the power to obtain from phone companies the names of entities purchasing one way phone lines where the number does appear on caller ID. We will add the 800 number you identify below to that list.

We also administer a "sting" operation in order to identify offending companies. Through this program we authorize consumers willing, to purchase DISH service from the solicitor. The purchase transaction enables you (and through you, us) to identify the offending solicitor. EchoStar then takes appropriate action against the solicitor and the calls to you cease. While the sale is typically cancelled by us prior to finalization so that the consumer is never out of pocket, we also, of course, reimburse the consumer in the event a charge to their credit card is made and not reversed. If you would be willing to assist us in such a sting, please email Dana Steele for details. I have copied on this message, or you can phone her at 303-723-1621.

Again, my apologies for the inconvenience. We will continue to work to put an end to these practices.

David Moskowitz

-----Original Message-----

From: Ergen, Charlie
Sent: Tuesday, August 08, 2006 9:58 AM
To: 'diane.bailey@stanford.edu'
Cc: Moskowitz, David; Dugan, Mike
Subject: Re: FCC violations, please note

Dear diane

Thank you for bringing this to my attention. I can assure you this is not our company but perhaps someone who is posing in order to sell our product. I will refer this to our investigators. I hope you will help us find them. Would it be possible for mr moskowitz to contact you if we need further info.

Charlie

Sent from My Handheld.

-----Original Message-----

From: Diane Bailey <diane.bailey@stanford.edu>
To: Ergen, Charlie
CC: Dugan, Mike; Steven.Schaver@echostar.com <Steven.Schaver@echostar.com>; Jackson, Mark (Denver); DeFranco, Jim; Moskowitz, David; Kelly, Michael (EVP); Daines, Nolan; David.J.Rayner@echostar.com <David.J.Rayner@echostar.com>; Vogel, Carl (Vice Chairman); Wood, Stephen; FeedBack.CustomerMail; Press; donotcall@fcc.gov <donotcall@fcc.gov>
Sent: Tue Aug 08 09:48:25 2006
Subject: FCC violations, please note

Hi Charlie,

I'm a Stanford engineering professor who has just filed her 12th FCC violation against your company, so I hope you will pay attention to

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my email and my plea for your company to cease and desist with the telemarketing phone calls to my home. I am registered on the National Do Not Call Registry, but this means nothing to your India-based third-party retailers. Tonight (Aug 7th) the caller, with an Indian accent, said his name was Josh, he was calling from Dish Network in New Jersey and his call back number was 1-800-444-3494 (which turns out to be not working).

Each time I get such a call, I tell the caller I am on the registry and they are violating the law, but I first get their name (probably bogus) and number (probably bogus). They never 'fess up to being third party retailers; instead, they unfailingly tell me they work for you (Dish Network). Charlie, I expect you to monitor your retailers. I bet the FCC does, too.

To be nice to you, I call your customer service line each time as I am filling in the fields on the FCC complaint site. They tell me (as first Roy and then Greg did tonight at 8:50 California time), that they can do nothing because indeed their lists show that I am on the do-not-call list both nationally and with your firm. They say they cannot control the retailers. Really?

So what gives, Charlie? How long must I put up with this? I think they call because my husband is Indian and they always ask for him. You can imagine how disappointed they are to have to deal with me instead. I like to spend my evenings at home with my family, not your retailers. The only other people who call are my friends and family. I don't want to have to get a new phone just to keep your company off my back when EVERY OTHER COMPANY ON THE PLANET respects the FCC list and does not call me.

Please feel free to send me a list of all your retailers with their 800 numbers. I'll call each one and let them know that they are breaking the law. Besides which, I don't even have a TV with cable....

sincerely,
Diane E. Bailey

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EXHIBIT 298

EXHIBIT 298

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EXHIBIT 299

EXHIBIT 299



Risk Summary f TCPA / Do Not Call Allegations Progress Week Ending August 14, 2006

- Three TCPA corrective actions were conducted this week.
 - Sterling Satellite OE # 10039650
 - On at least two occasions this retailer committed violations by repeatedly calling individuals that were on National Do Not Call List or refused requests to be placed on Sterling's internal Do Not Call list.
 - Consumers assisted in identifying Sterling by qualifying for new customer promotions.
 - Sterling warned and agreed to a \$10,000 fine.
 - United Satellite OE # 11450877
 - Retailer was identified in a lawsuit brought by The State of Vermont against EchoStar.
 - On at least two occasions this retailer committed TCPA violations by repeatedly calling individuals that were on National Do Not Call Lists.
 - Consumers assisted in identifying United by qualifying for new customer promotions.
 - Allsat OE # 258397
 - A complaint was received through VendorInquiries@EchoStar.com. Research identified that an agent with Allsat repeated placed obscene calls to a consumer that was on the National Do Not Call list. A warning letter was sent to the retailer.
- Responses are pending for previously mailed letters to E Management # 620551, Marketing GURU # 431572, I DISH COM #1466088 and DISH Pronto OE # 10361275.
- 64 new complaints were received by VendorInquiries@EchoStar.com. mail box. Information for one of the calls mapped to Marketing Guru. Other complaints did not have enough information to identify a retailer. 702.430.4444 problem phone number now provides callers with directions to National Do Not Call registry. Complaint calls about this number appear to have ended.
- An Operations Analysis Manager for Compliance has been selected. Start date was Saturday August 12. This position will provide overall project management of strategic initiatives related to Compliance with State, Federal and legal rulings involving Telemarketing, Trade Name Placement and Advertising Disclosure. Recruiting will assist in identifying candidates for support to this new manager.
- A project to contact all OE Partners to provide recorded calls for QA review has begun. At this point, all Partners contacted intend to support this program. 19 of the top 23 Partners agreed to provide calls. FTP directories have been established to receive calls. One retailer allows live monitors of calls.
- Weekly meetings continue between Jeff Blum, Dana Steele, Denise Hargan and Retail Services Risk.
REDACTED-ATTORNEY-CLIENT PRIVILEGED/WORK PRODUCT
- Additional meetings were held with Jim Gowland regarding **REDACTED-ATTORNEY-CLIENT PRIVILEGED**
REDACTED-ATTORNEY-CLIENT PRIVILEGED
- An alert was sent to all OE Partners regarding repeated calls to a single number in violation of TCPA.

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- Weekly meetings between ERT and Retail Services Risk have begun. This week we discussed data related to Pre Sale Disclosures. During 2006 10,000 +/- accounts were tracked by ERT with disclosures / misinformation complaints. Discussed possibly of utilizing Service requests in Siebel for communications to retailer for quicker compliance. In addition, ERT will be providing complaint through the following channels: Direct, FAX, AG, BBB and ERT TCPA complaints.
- Atlas Marketing Group's EchoStar Retailer Agreement was terminated July 31, 2006 and was reinstated August 5. Terms of the reinstatement include 1) Exclusivity 2) Fine amounting to two months residuals 3) Incentive charge backs amounting to three times incentives paid on all identified flipped accounts.
- Receiver Audit Team charge back was prepared.

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TX 102-008358

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EXHIBIT 300

EXHIBIT 300

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JA009097
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Message

From: Origer, Robb [/O=ECHOSTAR COMMUNICATIONS CORP/OU=ECHOSTAR/CN=RECIPIENTS/CN=ROBB ORIGER]
Sent: 8/15/2006 6:06:12 PM
To: Werner, Bruce [bruce.werner@echostar.com]
Subject: FW: United Satellite -11450877
Attachments: FW_ Major Telemarketing issue & AG complaint..msg; FW_ Dish Network Auto Dialer calls [Indiana AG] - United Satellite -11450877.msg; FW_ Major Telemarketing issue & AG complaint..msg; FW_ .msg; Document.pdf

When we get the detail from Legal – we need to add this to it for the summary for Jim.

From: Neylon, Brian
Sent: Tuesday, August 15, 2006 2:33 PM
To: Origer, Robb
Subject: United Satellite -11450877

- A business relationship was established with I D C Solutions Inc DBA Infinity Communications on 8/13/2001
 - William (Bill) King - CEO
 - Tom Martindale – President
 - Justin Lines – Sales Manager
- A structure / name change was successfully completed on 7/16/2002
 - Name change from IDC Solutions Inc DBA Infinity Communications → Mavcomm, LLC.
- A business relationship was established with United Satellite on 10/4/2004
 - Tax reporting name is (United Satellite)
- The last time Oberbillig met with United was May 9th
- Steven Keller the RSM talked with Bill King on 6/13/06 concerning his recent disconnects increase. He also followed up with their controller to identify 2-2-2 procedures for better QA, and retention
- The account has recently moved call center operations to Santa Ana, CA for helping increase employee retention. Jason Lines has been running the call center operations since March 2006

Main Contacts:

Quentin Olwell - President

Bill King VP:-949-355-7276 cellular bking@pioneercomm.com

Mike Gleason - VP of Operations - (949) 355-7236: mgleason@pioneercomm.com

Jason Lines Call center contact: 949-204-7337 jlines@cllservices.com

Recent issues addressed: Please see attached e-mails



FW_ Major
Telemarketing is...



FW_ Dish Network
Auto Dialer calls ...



FW_ Major
Telemarketing is...



FW_ .msg



Document.pdf

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TX 102-008360

EXHIBIT 301

EXHIBIT 301



August 17, 2006

Via facsimile transmittal to: 262-437-0123

Jeff S. Hughes, President
Sterling Satellite, a division of
Sterling Commerce Group, Inc.
W175 N11086 Stonewood Dr., Ste. B
Germantown, WI 53022

Re: Telemarketing complaint against Sterling Satellite ("Sterling")

Dear Mr. Hughes:

I have had the opportunity to review the documents you provided to EchoStar in response to our requests made during our phone conversation of August 10, 2006 discussing the allegations of telemarketing violations made by Mr. Kaivalya Rawal. Based upon those responses and our conversation, EchoStar demands the following of Sterling:

1. Immediately cease telephone solicitations to Mr. Kaivalya Rawal's phone number: 847-212-6699;
2. Immediately cease misrepresenting itself as DISH Network™ in violation of the EchoStar Retailer Agreement (the "Agreement");
3. Institute procedures for full compliance with all applicable Do Not Call laws within seven (7) days of the date of this letter;
4. Confirm in writing that Sterling will defend and indemnify EchoStar for any and all claims arising out of or related to Sterling's telephone solicitation activities, either itself or by a party acting on behalf of Sterling at Sterling's request.

EchoStar also reiterates its request for documentation requested on August 10, 2006, but not yet received:

1. Proof that the employees with the IDs STER021 – 029:
 - a. Were actual employees of Sterling and not a third party;
 - b. That those employees were terminated (not just the ID); and
 - c. How long those IDs were in use by those employees.
2. Proof that the employees with the IDS STER036 – 040, STER050-99 and STER151 – 199:
 - a. were actual employees of Sterling; and
 - b. how long those IDs were in use by those employees.
3. With regard to the third party vendors identified in your packet, please provide:
 - a. Dates that each of these vendors performed services for Sterling, indicating which vendors, if any, are still performing services;
 - b. Contact information for each one of those vendors; and
 - c. All scripts, training materials, and any other information provided or made available to any vendor to perform services for Sterling (I received only one undated autodialer script which appears to be for Possibilities Unlimited, but there is no further information for that vendor or other vendors).

Page 1 of 2

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4. Proof that Sterling subscribed to and maintains subscriptions to the Federal and applicable state do not call lists and the dates of all such subscriptions;
5. Proof of Sterling's maintenance of an internal do not call policy;
6. A copy of Sterling's written Do Not Call policy; and
7. Documentation of Sterling's process for compliance with all telemarketing Laws.

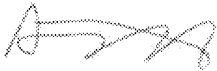
As discussed, Sterling agrees to pay EchoStar the sum of \$10,000 assessed as reimbursement to EchoStar for its efforts expended investigating Mr. Rawal's claims; however, Sterling acknowledges that EchoStar does not consider this payment as any type of release, partial or full, of any claims for defense and indemnification EchoStar may have against Sterling.

Failure to comply with any of the demands or requests contained in this letter or any obligations in your Agreement could result in immediate termination of that Agreement.

This letter is without prejudice to any rights and remedies that may be available to EchoStar at law, in equity, under contract (including without limitation, its rights to chargeback any and all amounts owing to it pursuant to Section 6 of the Agreement), or otherwise.

Thank you for your attention to this matter.

Sincerely,



Dana E. Steele
Senior Corporate Counsel

cc: Robb Origer
Director, Retail Services

hp LaserJet 9050mfp series



Fax Call Report

1

EchoStar Satellite L.L.C.
303-723-1699
2006-Aug-17 05:59 PM

Job	Date/Time	Type	Identification	Duration	Pages	Result
663	2006-Aug-17 05:57 PM	Send	912624370123	1:04	2	Success



August 17, 2006

Via facsimile transmittal to: 262-437-0123

Jeff S. Hughes, President
Sterling Satellite, a division of
Sterling Commerce Group, Inc.
W175 N11086 Stonewood Dr., Ste. B
Germantown, WI 53022

Re: Telemarketing complaint against Sterling Satellite ("Sterling")

Dear Mr. Hughes:

I have had the opportunity to review the documents you provided to EchoStar in response to our requests made during our phone conversation of August 10, 2006 discussing the allegations of telemarketing violations made by Mr. Kaivalya Rawal. Based upon those responses and our conversation, EchoStar demands the following of Sterling:

1. Immediately cease telephone solicitations to Mr. Kaivalya Rawal's phone number: 847-212-6699;
2. Immediately cease misrepresenting itself as DISH Network™ in violation of the EchoStar Retailer Agreement (the "Agreement");
3. Institute procedures for full compliance with all applicable Do Not Call laws within seven (7) days of the date of this letter;
4. Confirm in writing that Sterling will defend and indemnify EchoStar for any and all claims arising out of or related to Sterling's telephone solicitation activities, either itself or by a party acting on behalf of Sterling at Sterling's request.

EchoStar also reiterates its request for documentation requested on August 10, 2006, but not yet received:

1. Proof that the employees with the IDs STER021 - 029:
 - a. Were actual employees of Sterling and not a third party;
 - b. That those employees were terminated (not just the ID); and
 - c. How long those IDs were in use by those employees.
2. Proof that the employees with the IDS STER036 - 040, STER050-99 and STER151 - 199:
 - a. were actual employees of Sterling; and
 - b. how long those IDs were in use by those employees.
3. With regard to the third party vendors identified in your packet, please provide:
 - a. Dates that each of these vendors performed services for Sterling, indicating which vendors, if any, are still performing services;
 - b. Contact information for each one of those vendors; and
 - c. All scripts, training materials, and any other information provided or made available to any vendor to perform services for Sterling (I received only one undated autodialer script which appears to be for Possibilities Unlimited, but there is no further information for that vendor or other vendors).

Page 1 of 2

EXHIBIT 302

EXHIBIT 302

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Message

From: Vogel, Carl (Vice Chairman) [/O=ECHOSTAR COMMUNICATIONS
CORP/OU=ECHOSTAR/CN=RECIPIENTS/CN=CARL.VOGEL]
Sent: 8/23/2006 10:26:03 AM
To: chuck4746@aim.com; Ergen, Charlie [charlie.ergen@echostar.com]
CC: Moskowitz, David [david.moskowitz@echostar.com]
Subject: RE: Please Remove My Phone Number

Mr. Kulig:

Just listened to the message, no apology necessary. As noted below, we don't believe this is our employee and we will follow up with you with our general counsel. You have my office number and you should call me if this persists. My cell is 303-618-6258. I apologize for the intrusion.

Regards, Carl

From: chuck4746@aim.com [mailto:chuck4746@aim.com]
Sent: Tuesday, August 22, 2006 8:39 PM
To: Ergen, Charlie
Cc: Moskowitz, David; Vogel, Carl (Vice Chairman)
Subject: Re: Please Remove My Phone Number

Charlie -

Thank you for your response. I received another automated soliciting call from "Dish Network" tonight at 8:40 PM Central. This time I pressed 1 when prompted and spoke to a telemarketing rep named Philip, ID #SR9932. I told him I wanted my name and number removed and he continued with a sales pitch. When I asked for his supervisor, Philip called me "sweetheart" and placed me on hold. I was then connected to a supervisor named "John" who referred to me as "buddy."

I immediately called Carl Vogel's office extension and left an impolite message. For this I apologize.

I also apologize for my complaint, however the phone number was installed recently for emergencies. I paid extra to have it nonlisted.

Thank you for your consideration.

Best regards,

Chuck Kulig

-----Original Message-----

From: Charlie.Ergen@echostar.com
To: chuck4746@aim.com
Cc: David.Moskowitz@echostar.com
Sent: Tue, 22 Aug 2006 10:57 AM
Subject: RE: Please Remove My Phone Number

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TX 102-008366

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dear chuck,

i am confident this is not dishnetwork calling you but more likely someone who is 'representing' they are dishnetwork and trying to sell you something. If it is ok i would like our general council to check with you so we can identify the caller. He will check to be sure you are on our do not call list as well to to be sure.

I am sorry about this problem but thank you for bringing it to my attention.

charlie

-----Original Message-----

From: chuck4746@aim.com [mailto:chuck4746@aim.com]

Sent: Tuesday, August 22, 2006 9:37 AM

To: CEO

Cc: Ergen, Charlie; charles.ergen@echostar.com; Vogel, Carl (Vice Chairman); DeFranco, Jim; Dugan, Mike

Subject: Please Remove My Phone Number

Charlie -

Please remove my phone number 847-434-6102 from your telemarketing list. I am receiving unsolicited automated calls at 8:30 PM Central every night. Please stop.

If the calls continue I will look up the home phones of your board of directors and call them each time I receive an unsolicited call from your company. I'll ask them how they like getting unwanted nuisance calls. I will not wait longer than 24 hours. If the request comes from you, I know my number can be removed in a matter of seconds.

Thank you for your consideration.

Best regards,

Chuck Kulig

Check Out the new free AIM(R) Mail -- 2 GB of storage and industry-leading spam and email virus protection.

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TX 102-008367

EXHIBIT 303

EXHIBIT 303

Audit and Risk Accomplishments Week Ending 08/23/2006

Item	Comments
<ul style="list-style-type: none"> Retail Services Audit 	<ul style="list-style-type: none"> Continued monitoring Intl. No SSN Promotion. Approved addition of Model 111 receiver to the promo. Terminations of the following retailers are pending - Sat Pro Communications OE# 534529 (Falsified New Customer Information) Jose May DBA Multi Services OE#11652210 (Falsified New Customer Information) Cooper James DBA Tech Audio OE# 12841397 (Export violations). Processed Quad City Satellite weekly churn audit 08/03-08/09. Store front still displays DISH Network. A Cease and Desist letter was sent on 8/4/2006 for Unauthorized Use of Trademarks and Bounty Program Violations. Drafted failure to comply letter pending legal review. We have reviewed 717 suspect duplicate accounts provided from CSC Web / Duplicate House report. <ul style="list-style-type: none"> We have identified retailers & distributors. Charge backs in Incentivized retailers will begin. VendorInquiries@EchoStar.com <ul style="list-style-type: none"> 5/1/ - 8/21/06 - 483 complaints were received. We took action on five retailers involving eight of the complaints. Week ending 8/21/06 - 86 new complaints were received. <ul style="list-style-type: none"> Five retailers were identified. Warning letters will be sent to Blukiwi, Dish Factory Warehouse, American Satellite, DISH Pronto, and Marrick Dish. OE Monitoring <ul style="list-style-type: none"> 23 retailers have been contacted and will provide calls to be monitored. OE Partners are providing recorded / live calls for QA review. The QA form is being reviewed FTP User Name and Password have been verified Bo Ramsey has eight employees to monitor calls. Observations to begin this week. Continued weekly review of Retail Services issues with Dana Steele, Jeff Blum. Continued weekly review of Retail Services and ERT issues with Marcie Metzger (TCPA / Disclosure). Revised post termination procedures to include active expiration of dealer access to PRN / Rweb In addition we will provide three week post term review of dealer web site / store fronts to limit Trademark misuse. Began Distributor Contacts for Duplicate house chargebacks. Reji Musso started as Operation Analysis Manager 8/17/06 – Responsible for Compliance Issues Met with principles of United Satellite OE 11450877 regarding TCPA violations – Retailer is to provide a letter acknowledging activities and solution s by week's end. Met with Kathy Knight and Calisse Brown regarding Internal Audit's support of process changes.
•	•

Plans for Next Week

Item	Comments
<ul style="list-style-type: none"> Retail Services – Audit 	<ul style="list-style-type: none"> Audits in process: <ol style="list-style-type: none"> Satellite Systems Network OE# 821970 Antenna Star Satellite OE#386660020 Dynamite Digital OE# 470293 Horizon Entertainment OE# 21791 M G Services INC DBA Vass OE# 1975121 Diane Cabrera DBA Satellite Networks OE#10983290 JAMAR Marketing OE# 11499471 (MGMT Audit only) Locktight Security & Satellite OE# 8622 Wellington Lopes Desousa DBA Brazil Legal OE # 217458 Dish Direct Satellite OE#259597 Antenna Star Satellite OE #38666 Gabriel Figueroa DBA Selenas OE# 807042 Work with OE Partners to provide calls for monitoring. Verify retailer activities. Quad City Satellite continues to use DISH Network Trade Marks post termination. Finalize chargeback for Puerto Rico retailer named Today's Television OE# 215777 \$39140.00. Draft process for Chargebacks for Residential in Commercial Fraud found by RAT Begin procedure clean up for team's processes Pending Charge backs Retailers. <p>Excel Communications OE# 694598~\$5095.00, Friendly Satellite OE# 778714~\$2310.00, ELContador Latino OE# 166152 ~\$3980.00, Phoenix Satellite OE#1225582 ~\$53948.00, Moorehead Communications OE# 21238~\$2605.00, Jeremy King DBA Alpha Omega OE# 1307886~\$2027.50, M Lloyd Johnson DBA World Net OE# 25111~\$2310.00, Joes Satellite OE#803789~\$14312.00, Dario Dos Santos OE# 384898~\$3245.00, Sun Comm Technologies OE# 105673 ~\$3280.00</p>

EXHIBIT 304

EXHIBIT 304

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Message

From: Origer, Robb [/O=ECHOSTAR COMMUNICATIONS CORP/OU=ECHOSTAR/CN=RECIPIENTS/CN=ROBB ORIGER]
Sent: 9/14/2006 3:54:18 PM
To: Voorhies, Christina [christina.voorhies@echostar.com]; Mills, Mike [mike.mills@echostar.com]
Subject: Re: United Satellite OE#11450877

All OE access, reporting, etc too.

-----Original Message-----

From: Voorhies, Christina
To: OOB Retailers
CC: Origer, Robb; Oberbillig, Mike; Showroom-VRU; Boscher, Judy; Werner, Bruce; Carlson, Erik; Van Emst, Blake; Ballard, Jay; Miller, Erik; Remington, Corey; Gul, Ahmet; Rhoades, Kendra; Neylon, Brian; Leer, Jason; Whittington, Brian; Voorhies, Christina; Mead, Marshall; Kaniaru, George; Winckler, Karen; Peckham, Bruce; 'cathy.benigno@equifax.com' <cathy.benigno@equifax.com>; 'Diane.Hall@equifax.com' <Diane.Hall@equifax.com>; Spencer, Michael (Mer); Graham, Amy; Steele, Dana; Musso, Reji
Sent: Thu Sep 14 13:52:41 2006
Subject: United Satellite OE#11450877

Please terminate United Satellite, OE#11450877 & AP# 462488 for all purchases and payments effective September 8, 2006. If the retailer is part of any buying group, please terminate the retailer from the appropriate group. A copy of the termination letter sent September 8, 2006 is in on file with Retail Services Audit Team.

Showroom, please disconnect any showroom accounts associated with this retailer and remove from the VRU if applicable.

Strategic Initiatives please disable all PRM and R Webb access for this retailer. This retailer's termination is due in part or whole to violation of telemarketing laws.

Thank you,

Christina Voorhies

Supervisor of Risk in Retail Services

EchoStar Satellite L.L.C.

720.514.6770

The contents of this electronic message and any attachments are intended only for the addressee and may contain confidential and privileged information. If you are not the addressee, you are notified that any transmission, distribution, downloading, printing or photocopying of the contents is strictly prohibited. If you have received this message in error, please notify the sender by return e-mail immediately and destroy all copies of the message and any attachments.

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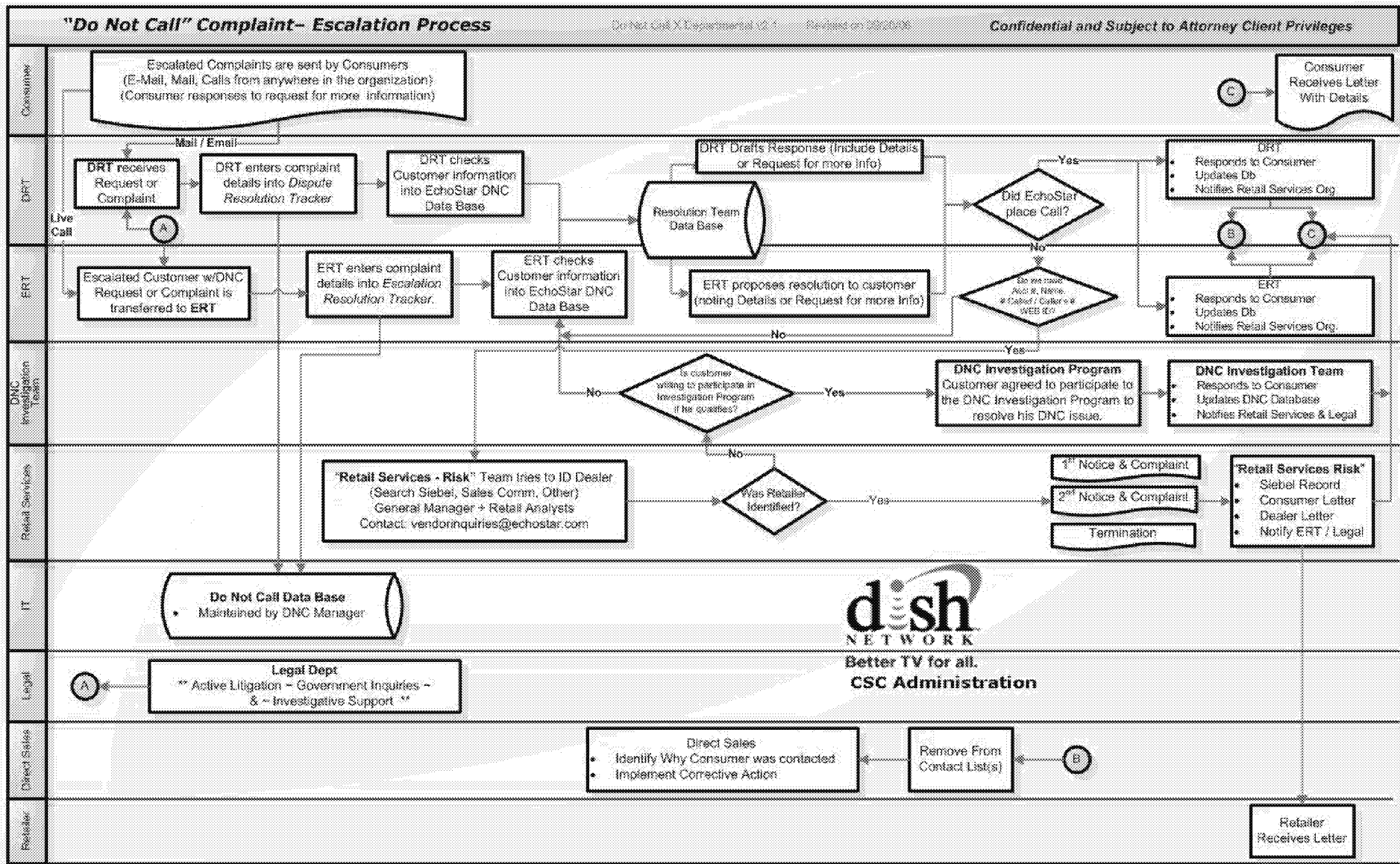
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TX 102-008371

EXHIBIT 305

EXHIBIT 305



FILED

NOV 28 2018

Alvin L. Flinn
CLERK OF COURT

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18 *Attorneys for Special Litigation Committee of*
19 *Nominal Defendant DISH Network*
20 *Corporation*

21 DISTRICT COURT

22 CLARK COUNTY, NEVADA

23 PLUMBERS LOCAL UNION NO. 519 PENSION
24 TRUST FUND and CITY OF STERLING
25 HEIGHTS POLICE AND FIRE RETIREMENT
26 SYSTEM, derivatively on behalf of nominal
27 defendant DISH NETWORK CORPORATION,

28 Plaintiffs,

v.

29 CHARLES W. ERGEN; JAMES DEFRANCO;
30 CANTEY M. ERGEN; STEVEN R.
31 GOODBARN; DAVID MOSKOWITZ; TOM A.
32 ORTOLF; CARL E. VOGEL; GEORGE R.
33 BROKAW; JOSEPH P. CLAYTON; and GARY
34 S. HOWARD,

Defendants,

35 DISH NETWORK CORPORATION, a Nevada
36 corporation,

Nominal Defendant

CASE NO.: A-17-763397-B
DEPT. NO.: XI

**VOLUME 13 OF APPENDIX TO
THE REPORT OF THE SPECIAL
LITIGATION COMMITTEE OF
DISH NETWORK CORPORATION**

HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: (702) 222-2500 ♦ Fax: (702) 669-4650

01:23903547.1

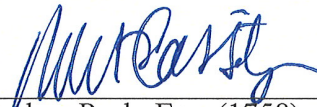
<u>Ex.</u>	<u>Date</u>	<u>Description</u>	<u>Page No.</u>
306	09/21/2006	Email from D. Moskowitz to C. Ergen	7952
307	09/27/2006	Email from L. Barrons to C. Ergen	7965
308	09/28/2006	Email from D. Moskowitz to D. Steele, et al.	7968
309	10/00/2006	OE Tools Sales Partners Contact List	7973
310	10/01/2006	Retail Services Audit and Risk	7988
311	10/03/2006	Email from C. Ergen to "jaytee"	8002
312	10/17/2006	Facts Blast	8005
313	10/18/2006	Email from D. Moskowitz to C. Ergen and J. DeFranco	8016
314	11/07/2006	Email from R. Musso to B. Werner	8018
315	11/10/2006	Facts Blast	8022
316	11/10/2006	Email chain between C. Ergen to D. Moskowitz	8025
317	11/10/2006	Fax from M. Wallace to C. Ergen, et al.	8027
318	11/20/2006	Email from R. Musso to D. Steele, et al.	8030
319		Intentionally Omitted	8035
320	01/17/2007	Letter from B. Neylon to J. Hughes	8037
321		Intentionally Omitted	8040
322		Intentionally Omitted	8042
323		Intentionally Omitted	8044
324	03/22/2007	Email from R. Musso to J. Blum, et al.	8046
325	04/10/2007	Email from M. Rosenblatt to E. Carlson, et al.	8049
326	05/30/2007	Email from L. Rose to L. Kalani and D. Hargen	8060
327	06/12/2007	Email from L. Rose to L. Kalani, et al.	8063
328	06/19/2007	Facts Blast: Unauthorized Use of Third Party Lead Generation and Telemarketing Services	8065
329	08/02/2007	EchoStar Minutes of Regular Audit Committee Meeting	8068
330	08/27/2007	Email from J. DeFranco to E. Carlson, et al.	8082
331	10/10/2007	Facts Blast: Unauthorized Retailer Use of Third Party Lead Generation and Customer Acquisition Services	8084

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332	11/07/2007	Email from S. Petersen to L. Kalani and H. Mac Murray	8087
333	11/07/2007	Draft Agreed Final Judgment and Permanent Injunction	8089
334	11/12/2007	Email from C. Ergen to S. Dodge, et al.	8113
335	11/29/2007	Email from L. Rose to R. Deitch, et al.	8116

DATED this 28th day of November 2018.

By



J. Stephen Peek, Esq. (1758)

Robert J. Cassity, Esq. (9779)

HOLLAND & HART LLP

9555 Hillwood Drive, 2nd Floor

Las Vegas, Nevada 89134

C. Barr Flinn (*Admitted pro hac vice*)

Emily V. Burton (*Admitted pro hac vice*)

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Rodney Square, 1000 North King Street

Wilmington, DE 19801

*Attorneys for the Special Litigation Committee of
Nominal Defendant DISH Network Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of November 2018, a true and correct copy of the foregoing **VOLUME 13 OF APPENDIX TO THE REPORT OF THE SPECIAL LITIGATION COMMITTEE OF DISH NETWORK CORPORATION** 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:

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*Attorneys for Plaintiff Plumbers Local Union
No. 519 Pension Trust Fund*

Attorneys for Defendants

By:


An Employee of Holland & Hart, LLP

EXHIBIT 306

EXHIBIT 306

Message

From: Moskowitz, David [/O=ECHOSTAR COMMUNICATIONS CORP/OU=ECHOSTAR/CN=RECIPIENTS/CN=DAVID MOSKOWITZ]
Sent: 9/21/2006 10:53:02 AM
To: Ergen, Charlie [charlie.ergen@echostar.com]
Subject: FW: Do Not Call - summary of actions to date

PRIVILEGE

Charlie,

Here is a summary of our efforts with respect to phone solicitation issues. We have not yet been able to confirm any industrial sabotage, but we will be getting responses back from our subpoenas over the next several weeks. **REDACTED-ATTORNEY-CLIENT PRIVILEGED**

From: Steele, Dana
Sent: Wednesday, September 20, 2006 5:23 PM
To: Moskowitz, David
Cc: Blum, Jeffrey; Steele, Dana
Subject: Do Not Call - summary of actions to date

A. Telemarketers claiming to be "DISH Network"

In early 2006, we experienced a significant increase in consumer complaints regarding telemarketing violations (both by consumers and AGs/BBB/FTC on their behalf) by parties claiming to be "DISH Network" and failing to provide legitimate information on their companies. They used blocked and disguised or "spoofed" caller ID #s (e.g. 555-121-1212 or even 800-333-DISH) and VoIP numbers that we were unable to trace to a retailer. In efforts to discover the identities of these entities, EchoStar initiated multiple new processes to communicate with the consumers re: how we do not participate in nor in any way condone this behavior; and to discover the identity of the retailer(s), take action against them, and get the message across to all retailers that this behavior is not tolerated.

B. Implemented new processes for dealing with complaints:

I. Customer Service:

- Provided updated scripts and training for CSRs to deal with angry consumers and explain EchoStar policies; provide info to consumers re: DNC registrations
- Created escalations process to handle consumer complaints (ERT/DRT):
 - i. Record, investigate and track every complaint
 - ii. ERT/DRT provide call info to Retail Services to investigate complaints and report retailer info to consumer when identified

II. Retail Services:

- Retail Services investigates each complaint to determine if retailer is involved, including working with the consumer to perform "stings" of retailers by making purchase (which is cancelled and refunded) to determine the true identity of the retailer
- Retail Services is monitoring calls of OE retailers to ensure compliance with scripts and processes

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- Demands info from every retailer associated with a complaint regarding their telemarketing practices (Do Not Call policies, outbound sales scripts, DNC list registrations, etc.). Retailers that fail to comply are dealt with by both Retail Services and Legal

III. Legal:

- Updated documentation of policies and procedures to provide to AGs/FTC
- Filed "John Doe" lawsuit in TX to have civil subpoena power to get phone records for calls made to consumers which can't be traced by caller ID, etc.
- Tracking all efforts and actions with consumers and retailers to provide to AGs/FTC to defend our practices
- Work with AGs willing to help to obtain information on consumer call records to identify retailers
- Work with Retail Services to correspond with retailers and consumers

Weekly meetings are held among these three groups to track progress and refine the process and to evaluate action to take with specific retailers individually.

C. Major Actions to Date:

1. **Separately tracking, investigating and reporting TCPA complaints under DRT/ERT since 5/15/06**
7824 TCPA complaints received by ERT/DRT since 1/1/06
660 researched by Retail Services
38 complaints linked to specific retailers to date
2. **Increased communications with retailers (Fax Blasts, Retailer Chats, Monitoring of OE retailer call centers, individual investigations of retailers)**

Complaints associated with retailer	Retailer practices currently under investigation and/or working with Retail Services to compliance	Investigated – determined no violation	Retailer resolved complaint with consumer	Retailer disciplined	
38	26	1	9	2	

3. **"Stings" performed by consumers, Signal Integrity, Legal or Retail Services to make purchase to discover retailer identity**
10 successful stings identifying 9 separate retailers in violation of TCPA and/or retailer agreement (identifying themselves as "DISH Network," failing to properly disclose sales information, etc.)
4. **Filed "John Doe" lawsuit in TX against unknown retailers to have subpoena power for phone records to determine phone numbers and their owners for calls to consumers in violation of TCPA**
8 telephone companies subpoenaed to date for multiple numbers for each phone company. One retailer identified (Marketing Guru/Elephant Group) and other subpoena responses due next week. **AC/WP**

AC/WP

D. Discipline of Individual Retailers – 2 retailers formally disciplined to date (several others under investigation):

1. **OE Retailer Sterling Satellite disciplined** after being tracked by 1 sting (telemarketing violations and identifying themselves as "DISH Network") and meeting with Retail Services and Legal when documentation and explanations were deficient. Results:

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- Sterling terminated several of its call center employees
- ceased all outbound telephone solicitations
- fined \$10k by EchoStar (to be paid directly by Sterling to the Colorado BBB for assistance with it consumer protection activities)
- committed to providing proof of compliance on an ongoing basis

2. **OE Retailer United Satellite disciplined** after being tracked by 2 stings (telemarketing violations and representing themselves as "Dish Network") as well as tracing numerous other complaints to them. After meeting with Retail Services and Legal, United failed to provide sufficient documentation, explanations and remediation plans. Results:

- TERMINATED as of 9/8/06 despite being one of the highest volume OE retailers

Retailers Associated with TCPA Consumer Complaints

From May 15, 2006 - Present:

*Total Number of TCPA Complaints received by ERT/DRT: 7824 (01/01/06 to present)

*Total Number of TCPA Complaints sent to Retail Services: 659

*Total Number of Consumer Complaints linked to Retailers identified: 38

*Total Number of "Stings": 9

Companies identified to date by Retail Services:	Number of Consumer Complaints tied to Retailer:	Open Complaints	Closed Complaints	TCPA Violation Y/N	Action(s) taken to date against companies identified:	Further action(s) taken to date:
I Dish Com LLC/Blu Kiwi Com LLC	1	1	0	t/b/d	Notice letter sent from Retail Services to retailer 08/01/06.	Rec'd response from letter on 08/18/06. Sufficiency of documentation to be determined.
E-Management	1	0	1	N	Notice letter sent from Retail Services to retailer 08/04/06.	Information provided. It was determined that retailer committed no violation of TCPA laws.
Jeff Hughes d/b/a Sterling Satellite	1	0	1	1 (sting)	Notice letter sent from Retail Services to retailer 08/17/06.	Meeting held on 09/08/06. Retailer disciplined and is working with EchoStar to correct problems.

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Companies identified to date by Retail Services:	Number of Complaints tied to Retailer:	Open Complaints	Closed Complaints	TCPA Violation Y/N	Action(s) taken to date against companies identified:	Further action(s) taken to date:
Marketing Guru	10	10	0	2 (stings)	Notice letters sent from Retail Services to retailer on 08/15/06 regarding (5) complaints; (5) additional complaints/letters pending.	Retail services and Legal investigating and working with Marketing Guru.
National Satellite Systems	1	1	0	1 (sting)	Notice letter from Retail Services to retailer pending.	Retail services to review sting details and contact retailer.
Dish Factory Direct Inc.	1	1	0	t/b/d	Notice letter sent from Retail Services to retailer 09/01/06.	Retailer response was due 9/7/06.
Dish Pronto Inc.	4	4	0	1 (sting)	Notice letter to be sent to retailer.	Three complaints will be combined in one letter. 4 th complaint has been handled through legal sting.

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American Satellite	1	1	0	1 (sting)	Letter pending from Retail Services	t/b/d
AllSat	6	5	1	1 (sting)	Notice letter regarding one (1) complaint sent from Retail Services to retailer on 08/14/06; (5) additional complaints/letters pending.	The 6 th complaint with Melissa Wallace was settled 9/18/06.
DISHTV Inc.	1	1	0	t/b/d	Notice letter to be sent to retailer.	t/b/d
Satellite Systems Now	1	1	0	1 (sting)	Notice letter sent from Retail Services to retailer on 08/29/06.	Retailer response was due 9/12/06.
United Satellite	2	0	2	2 (stings)	Notice letter sent from Retail Services to retailer on 08/17/06.	Retailer was termed 9/8/06.

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"Sting" Specific Information:

Consumer	Retailer
Aaron Hakeem	National Satellite Systems
Aaron Hakeem	Marketing Guru
John Healy	Dish Pronto
K.H. Rawal	AllSat
K.H. Rawal	Sterling Satellite
Ken Telis	United Satellite
Manoj Puri	Marketing Guru
Michael Todd	Satellite Systems Now
Michael Todd	United Satellite
Robert Parker	American Satellite

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Retailers Associated with Current Active Litigation

*No. of Active TCPA Cases: 7

*No. of Active TCPA Cases wherein EchoStar made calls to Plaintiff as alleged: 0

*No. of Active TCPA Cases wherein a Retailer is specifically named: 1

Action/companies still under consideration/ Companies identified to date in current active litigation:	Case Name:	Case Description:	Status:
VMC	Spafford v. ESLLC (Superior Court, King County, WA)	<p>Class Action. Alleges repeated use of auto-dialer to generate calls; left pre-recorded messages on answering machine w/prompt to speak to a "live" person.</p> <p>*Class includes all WA residences who received on or more commercial solicitation from Dish Network.</p> <p>Confirmed that E* has never called Ptf.</p>	<p>VMC may have made the calls. Follow up RS to see if E* has contacted VMC. REDACTED-AC/WP ATTORNEY-CLIENT</p> <p>Counsel has not contacted VMC or sent an indemnity demand to them. Discovery has not commenced yet, still in the motion to dismiss stage.</p>
E-Management Group, Inc.	John Ferron v. ESLLC, E-Management Group and Hydra Media Group (USDC, So. Dist. of Ohio, Eastern Div.)	Alleges Unfair and deceptive trade practices involving the transmission of 100's of email messages containing or referencing consumer transactions.	Tender accepted by E-Management. Def. counsel retained to rep. ESLLC and E-Management by retailer. ESLLC monitoring case.

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<p>Named Retailers: Aloha Communications American Satellite Arial Wireless, Inc. EBN Financial Marketing Guru Planet Earth Satellite, Inc. Satellite Country, Inc. Satellite Systems Network, Sterling Satellite Techstar Satellite United Satellite Genutec business Solutions, Inc.</p> <hr/> <p>Retailers Not Named but with whom Plaintiff has established DN Accts:</p> <p>Dish Pronto Brandvein Companies, Inc. On Site Satellite East LLC</p>	<p>Jeffery J. Mitchell v. ESLLC (District Court, Salt Lake County, Utah)</p>	<p>Alleges 51 calls from 09/25/03 to 03/31/06.</p> <p>Ptf. established 14 known accts in an effort to determine the retailer at the point of sale. List of retailers available.</p> <p>Confirmed that E* has not contacted Ptf. outside the Existing Bus. Relationship Ptf. created by perpetrating his own "stings".</p>	<p>Rec'd proposed discovery plan from Ptf. counsel 09/05/06. AC/WP AC/WP</p> <p>Plaintiff's counsel filed the attached Request for Permanent Injunction on August 17.</p>
<p>Marketing Guru</p>	<p>Beth Wilmot v. ECC (District Court, Michigan)</p>	<p>Alleges Defendant willfully and knowingly violated the FCC's Telephone Consumer Protection Act on at least nine (9) occasions. Ptf. alleges ESLLC failed to honor requests to be placed on its Do Not Call list.</p>	<p>Marketing Guru has been positively id'd as making at least one call.</p> <p>REDACTED-ATTORNEY- CLIENT PRIVILEGED/ WORK-PRODUCT</p>

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Retailers Associated with Current Active Attorney General Investigations Only ("CID")

Action/companies still under consideration/ Companies identified to date in Attorney General CID's:	State	Status	Action(s) taken to date against companies identified:
Dish Pronto	Louisiana	As part of an on-going investigation, Dish Pronto was positively tied to (2) complaints by consumers who alleged that they were contacted by "Dish Network".	Investigation ongoing; t/b/d
Regal Satellite	Washington State	Status of matter is currently uncertain. AG has spearheaded a 31 Multi-State CID whereby in addition to alleged TCPA violations, EchoStar is being investigated on other consumer related issues.	Investigation ongoing; t/b/d
United Satellite	Vermont	AG investigation ongoing. EchoStar providing United info to VT AG	Terminated 09/08/06.
Marketing Guru	Wisconsin	08/03/06; Wisconsin AG requests information regarding six (6) consumer complaints related to unsatisfactory transactions with Marketing Guru (point of sale disclosure issues).	Investigation ongoing; t/b/d.

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Investigation into Suspected Competitor and/or Sabotage Activity

Any indications legitimate DISH retailers may not be responsible for all of the calls (that at least some of the call centers could be engaged in activities intended as attacks on DISH	Retailer Identified:	Status:
EchoStar v. J. Does (USDC, Southern Dist. of Texas) E* prosecution of 3rd parties violating federal and state DNC laws in the name of Dish Network.	In response to subpoenas served on telephone company, Marketing Guru tied to three (3) consumer complaints as party responsible for telemarketing call.	Served SDT on Qwest in WA per information provided by Tony Sultan (consumer). REDACTED-ATTORNEY- REDACTED-CLIENT PRIVILEGED/WORK- ATTORNEY-PRODUCT CLIENT PRIVILEGE
DirecTV retailer - Fun Dish	*Not a Dish Network retailer	DirecTV retailer was posing as Dish Network retailer comparing DN to DirecTV to make a sale.

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Retailers Identified by Consumers - Non Litigation

Consumer:	Retailers Identified by Consumer:	Status:
Wallace, Melissa (as of 09/14/06)	Discount Communication	Consumer reports that she is currently involved in settlement discussions
	AllSat	Ms. Wallace has settled with retailer; amount unknown
	The Dish Pros	Ms. Wallace has settled with retailer; amount unknown
	Dish Professionals	Ms. Wallace has settled with retailer; amount unknown
	Satellite Country	Ms. Wallace has settled with retailer; amount unknown
	Star Satellite	Ms. Wallace has settled with retailer; amount unknown
	Sterling Satellite	Consumer reports that her settlement offer had been declined and that she has had
	Marketing Guru	Consumer reports that she is currently involved in settlement discussions
	United Satellite	Consumer has had no contact with retailer and requests assistance from EchoStar

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Consumer:	Retailers Identified by Consumer:	Status:
	Satellite Systems Network	Consumer has had no contact with retailer and requests assistance from EchoStar
	Direct Broadcast/DBS Satellite	Consumer has had no contact with retailer and requests assistance from EchoStar
	U. S. Satellite	Consumer has had no contact with retailer and requests assistance from EchoStar

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EXHIBIT 307

EXHIBIT 307

To: Ergen, Charlie[Charlie.Ergen@echostar.com]
From: Barrons
Sent: Wed 9/27/2006 10:52:46 AM
Subject: Re: Dish Network

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Thank you Charlie,

I would be happy to help in any way I can.

Please let Mr. Moskowitz know he can reach me at 661-722-4487 (my business line.) I'm not always there to answer it, but it will pick up messages.

- Perhaps I could just say yes to them and order their product? But I wouldn't want to give out my financial information in case it is some type of phishing.

This is very considerate of you. I feel slightly ashamed now of my ranting and for bothering you.

Sincerely,
Laura.

----- Original Message -----

From: Ergen, Charlie

To: Barrons

Cc: Moskowitz, David

Sent: Tuesday, September 26, 2006 5:36 PM

Subject: RE: Dish Network

Dear Laura,

Thank you for your note. I can assure you that this is NOT Dishnetwork calling you. We are aware there is a company or companies who have been calling who may misrepresent themselves as dishnetwork.

We would like your assistance to find this company.

I have copied our general counsel, David Moskowitz. I would like him to contact you so we can solve this mutual problem.

Again, thank you for bringing this to my attention

Charlie

-----Original Message-----

From: Barrons [mailto:slnssbarron@adelphia.net]

Sent: Tuesday, September 26, 2006 5:55 PM

To: Ergen, Charlie

Subject: Dish Network

Mr. Ergen,

Perhaps you can help me, perhaps not. If not, please send my request through to someone at dish network who can help me and thousands more listed on the "Do Not call us" registry.

You have some marketing or dealer at 1-800-701-8414 who continues to call 4 times a evening, almost every single day for Dish Network. I have ask them not to call. I am on the do not call registry. We are talking about calls coming in for months.

It is making your company look bad. I have called Dish network headquarters and they say it must be some local dealer. Could be, could be out of the US. Either way, they are selling your product. They are a dealer for you and marketing it. It has created such tension in our household these annoying calls. I do not want to ever purchase your products only because of this. And this is illegal. And I have reported it to the FTC in your company's name.

I have no power to stop this. I can't even find out who the 800 number belongs to, but I know you can. You or your associates can find out who this is by using your company records and pull the dealership from them. Put a stop to it, please. Be someone who doesn't ignore the problem, but someone who cures it. Check the site to see all the feedback you are getting and the bad name dish network is receiving.

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If this was my company, it wouldn't be happening. I wouldn't have any company representing me in this manner.

Sincerely,
Laura Barron

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EXHIBIT 308

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Message

From: Moskowitz, David [/O=ECHOSTAR COMMUNICATIONS CORP/OU=ECHOSTAR/CN=RECIPIENTS/CN=DAVID MOSKOWITZ]
Sent: 9/28/2006 1:20:12 PM
To: Steele, Dana [dana.steele@echostar.com]; Blum, Jeffrey [jeffrey.blum@echostar.com]; Dodge, Stanton [stanton.dodge@echostar.com]
Subject: FW: unwanted calls targets to Indians persist

Help me to fix this PERMANENTLY. Do we have the resources?

From: Ergen, Charlie
Sent: Thursday, September 28, 2006 11:16 AM
To: Vogel, Carl (Vice Chairman); DeFranco, Jim; Stingley, Tom; Carlson, Erik
Cc: Moskowitz, David
Subject: RE: unwanted calls targets to Indians persist

moskowitz owns this...he has carte blanche to demand results from the rest of the organization.
i expect we will cut off repeat offenders and that we will FIND offenders.

if somebody doesnt agree with moskowitz , then carl and i can resolve...

c

-----Original Message-----

From: Vogel, Carl (Vice Chairman)
Sent: Thursday, September 28, 2006 11:09 AM
To: DeFranco, Jim; Stingley, Tom; Carlson, Erik
Cc: Moskowitz, David; Ergen, Charlie
Subject: FW: unwanted calls targets to Indians persist

It is unacceptable to continue to have this problem. Who owns this issue and who is going to fix it? Also Dana Steele needs to follow up with this customer.

From: Diane Bailey [mailto:diane.bailey@stanford.edu]
Sent: Thursday, September 28, 2006 11:04 AM
To: Ergen, Charlie
Cc: Dugan, Mike; Steven.Schaver@echostar.com; Jackson, Mark (Denver); DeFranco, Jim; Moskowitz, David; Kelly, Michael (EVP); Daines, Nolan; David.J.Rayner@echostar.com; Vogel, Carl (Vice Chairman); Wood, Stephen; FeedBack.CustomerMail; Press; donotcall@fcc.gov
Subject: unwanted calls targets to Indians persist

Hello Charlie,

I am the Stanford prof who wrote to complain about unwanted telemarketing calls from your third party retailers calling from India. The calls persist.

I was a dinner party in Fremont this weekend when your firm's name came up from our Indian host, who complained bitterly about all the calls he receives from your retailers. Other guests (all Indian) said they also receive them. We are all pretty certain that we are being targeted because our phones are listed under Indian last names.

So it seems that not only do your retailers violate American telemarketing law, they also do so in a discriminatory manner that singles out a particular group based on national heritage.

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Although I received a small flurry of emails from individuals in your service department who who pestered me for information they already had in the email thread they copied, I never did hear back from Dana Steele, whom David Moskowitz suggested I contact to get some resolution of this problem.

The host of the party asked me for your executive team's emails, which of course I sent to him because I knew you would be eager to hear more details about this problem so that it can be promptly resolved. I can't imagine how angering an entire community serves any company's goals.

best,
Diane

Date: Tue, 08 Aug 2006 14:11:39 -0700
To: "Steele, Dana" <Dana.Steele@echostar.com>
From: Diane Bailey <diane.bailey@stanford.edu>
Subject: Fwd: RE: FCC violations, please note

Hi Dana,

My husband and I may be willing to try out this sting thing, as no other option directly addresses the problem of calls to my home (and I would get some small satisfaction out of nailing these retailers). Please send me the information on it.

best,
Diane

Date: Tue, 08 Aug 2006 14:09:13 -0700
To: "Moskowitz, David" <David.Moskowitz@echostar.com>
From: Diane Bailey <diane.bailey@stanford.edu>
Subject: RE: FCC violations, please note
Cc: "Dugan, Mike" <Mike.Dugan@echostar.com>, "Steele, Dana" <Dana.Steele@echostar.com>, "Blum, Jeffrey" <Jeffrey.Blum@echostar.com>

Thank you, David. I will contact Dana. I appreciate your attention and am very desirous of ending these calls.

best,
Diane

At 11:13 AM 8/8/2006, Moskowitz, David wrote:

Dear Ms. Bailey,

I apologize for the inconvenience these calls have caused you. As Charlie mentioned below, EchoStar subscribers and strictly adheres to all Do Not Call lists.

Unfortunately, we have recently been experiencing instances where third

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parties have been calling consumers and representing themselves as DISH Network. In violation of Do Not Call requirements, these companies typically use phone lines which do not identify the caller, or one way lines which can not be called back. Consequently, it is very difficult for EchoStar to track down and take action against the offending companies.

Among other action we are taking to try to end this practice, we have filed litigation against unknown companies, which we hope will give us the power to obtain from phone companies the names of entities purchasing one way phone lines where the number does appear on caller ID. We will add the 800 number you identify below to that list.

We also administer a "sting" operation in order to identify offending companies. Through this program we authorize consumers willing, to purchase DISH service from the solicitor. The purchase transaction enables you (and through you, us) to identify the offending solicitor. EchoStar then takes appropriate action against the solicitor and the calls to you cease. While the sale is typically cancelled by us prior to finalization so that the consumer is never out of pocket, we also, of course, reimburse the consumer in the event a charge to their credit card is made and not reversed. If you would be willing to assist us in such a sting, please email Dana Steele for details. I have copied on this message, or you can phone her at 303-723-1621.

Again, my apologies for the inconvenience. We will continue to work to put an end to these practices.

David Moskowitz

-----Original Message-----

From: Ergen, Charlie
Sent: Tuesday, August 08, 2006 9:58 AM
To: 'diane.bailey@stanford.edu'
Cc: Moskowitz, David; Dugan, Mike
Subject: Re: FCC violations, please note

Dear diane

Thank you for bringing this to my attention. I can assure you this is not our company but perhaps someone who is posing in order to sell our product. I will refer this to our investigators. I hope you will help us find them. Would it be possible for mr moskowitz to contact you if we need further info.

Charlie

Sent from My Handheld.

-----Original Message-----

From: Diane Bailey <diane.bailey@stanford.edu>
To: Ergen, Charlie

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CC: Dugan, Mike; Steven.Schaver@echostar.com
<Steven.Schaver@echostar.com>; Jackson, Mark (Denver); DeFranco, Jim;
Moskowitz, David; Kelly, Michael (EVP); Daines, Nolan;
David.J.Rayner@echostar.com <David.J.Rayner@echostar.com>; Vogel, Carl
(Vice Chairman); Wood, Stephen; FeedBack.CustomerMail; Press;
donotcall@fcc.gov <donotcall@fcc.gov>
Sent: Tue Aug 08 09:48:25 2006
Subject: FCC violations, please note

Hi Charlie,

I'm a Stanford engineering professor who has just filed her 12th FCC violation against your company, so I hope you will pay attention to my email and my plea for your company to cease and desist with the telemarketing phone calls to my home. I am registered on the National Do Not Call Registry, but this means nothing to your India-based third-party retailers. Tonight (Aug 7th) the caller, with an Indian accent, said his name was Josh, he was calling from Dish Network in New Jersey and his call back number was 1-800-444-3494 (which turns out to be not working).

Each time I get such a call, I tell the caller I am on the registry and they are violating the law, but I first get their name (probably bogus) and number (probably bogus). They never 'fess up to being third party retailers; instead, they unfailingly tell me they work for you (Dish Network). Charlie, I expect you to monitor your retailers. I bet the FCC does, too.

To be nice to you, I call your customer service line each time as I am filling in the fields on the FCC complaint site. They tell me (as first Roy and then Greg did tonight at 8:50 California time), that they can do nothing because indeed their lists show that I am on the do-not-call list both nationally and with your firm. They say they cannot control the retailers. Really?

So what gives, Charlie? How long must I put up with this? I think they call because my husband is Indian and they always ask for him. You can imagine how disappointed they are to have to deal with me instead. I like to spend my evenings at home with my family, not your retailers. The only other people who call are my friends and family. I don't want to have to get a new phone just to keep your company off my back when EVERY OTHER COMPANY ON THE PLANET respects the FCC list and does not call me.

Please feel free to send me a list of all your retailers with their 800 numbers. I'll call each one and let them know that they are breaking the law. Besides which, I don't even have a TV with cable....

sincerely,
Diane E. Bailey

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EXHIBIT 309

EXHIBIT 309

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OE TOOL SALES PARTNERS CONTACT LIST				
Exceptions Line	888-833-9997 or 888-699-0020 (option 1)			
DNS Escalation Line	888-332-3474 (option 1) or 888-699-0020 (option 3)			
REDLINE MOTORSPORTS DBA AEROWAVE GROUP				
A/R # 12379127	Seller ID: 1207355	4881 W Hacienda Ave or 1905 E 17th St #303		
A/P # 530767	Sales ID: AEROWAVE	Las Vegas, NV 89118 or Santa Ana, CA 92705		
Name	Title/Position	Phone	E-Mail	
Mark Ladd	Primary/IT	951-265-1278	mladd@aerowavegroup.com	
Chris Eaton	Sales	714-362-7676 (O)	ceaton@aerowavegroup.com	
Website			www.aerowavegroup.com	
AIRBEL WIRELESS				
A/R # 235017	Seller ID: 1207354	206 Terminal Dr		
A/P # 42362	Sales ID: AIRBEL	Plainview, NY 11803		
Name	Title/Position	Phone	E-Mail	
Office Number		516-813-9500 (main)		
Phil Katz	Sales and Marketing	516-813-9537 (direct) or 201-303-3400 (cell)	pkatz@awi.li or philkatz27@aol.com	
Ashish Rai	IT	516-351-9400	arai@awi.li	
Fariba Thomas	Director of Operations	516-813-9583 (O) or 516-455-8577 (cell)	fthomas@awi.li	
Prabhu Marudheri	Finance	516-813-9506 (O) or 516-369-8406 (cell)	pmarudheri@awi.li	
Chetan Krishna	President	516-813-9547 (O) or 516-322-3173 (cell)	ckrishna@awi.li	
Sam Lamba	Chairman	516-813-9570 (O) or 516-805-5000 (cell)	slamba@awi.li	
Website				
ALLEGRO DISCOUNT ADVERTISING				
A/R # 127415	Seller ID: 1185954	20630 S Leapwood Ave		
A/P # 36083	Sales ID: ALLEGRO	Carson, CA 90746		
Name	Title/Position	Phone	E-Mail	
Glenn Vastine	Primary	800-450-8056 or 310-923-0756	allegrodish@yahoo.com	
Website				
ALLSAT				
A/R # 258397	Seller ID: 1135697	3040 West Republic Road		
A/P # 43604	Sales ID: ALLSAT	Springfield, MO 65807		
Name	Title/Position	Phone	E-Mail	
Office Number		800-759-0120		
Ben D. Solberg	Owner	800-597-2145 (direct) or 417-894-6251 (cell)	solberg@allsat.com	
Bob Wall	IT	715-855-0189	cp@web-walrus.com	
Lindsay	Operations	417-887-4922 x2009	linz@allsat.com	
Tracy Peterson	IT - onsite	417-887-4922	tracy@allsat.com	
Website			www.allsat.com	
ALOHA COMMUNICATIONS				
A/R # 1993056	Seller ID: 1265556	1832 N 1120 W		
A/P # 267656	Sales ID: ALOHA	Provo, UT 84604		
Name	Title/Position	Phone	E-Mail	
Paul Mugerian	Primary/Sales	801-373-2600	oetool@alohacommunications.net	
Aureliano Estrada (Aure)	IT	801-427-1828	aure.estrada@alohacommunications.net	
Website			www.alohacommunications.net	

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ALTITUDE MARKETING (formerly Intertech Digital Entertainment)			
A/R # 14855265 (old 8625)	Seller ID: 1232453 (old 1161003)	6523 Transit Rd	
A/P # 689601 (old 3035)	Sales ID: ALTITUDE (old INTERTECH)	Lockport, NY 14094	
Name	Title/Position	Phone	E-Mail
Main number		716-625-8555	
		716-625-8555 x 300 or 716-213-1700 or 716-913-4677 (cell)	
Jim Stephen	President		jimstephen@intertechdigital.com
Karl Schmelz	VP of Marketing	716-625-8555 x 110 or 716-553-0616	kschmelz@intertechdigital.com
Jeff Eveland		716-625-8555 x 302	jeland@intertechdigital.com
Tom Acara	General Sales Manager	716-628-2762 (cell)	
Omar Torres	Marketing Coordinator	716-868-3482 (cell) or 716-625-8555 x 104	otorres@intertechdigital.com
Dale Stoyer	IT	716-625-8555 x 303	dalestoyer@intertechdigital.com
Website			www.intertechdigital.com, www.4digitaltv.com
AMERICAN SATELLITE INC			
A/R # 13375148	Seller ID: 1180949	2667 Camino del Rio S	
A/P # 597908	Sales ID: AMERICAN	San Diego, CA 92108	
Name	Title/Position	Phone	E-Mail
Call center number		800-893-9516	
Todd Diroberto	Owner, Primary Contact	858-699-7161 (O) or 949-290-4648	tmdiroberto@aol.com
Shaun McCracken	Sales	949-290-4648	shaun@seamlessmediacorp.com
William Martin		949-295-1926	willmartin@seamlessmediacorp.com
Timothy Pyle		619-823-7094	TPyle@amsat.us
Jay Williams		949-939-9037	jayw@seamlessmediacorp.com
Todd Zweig	IT	619-806-7529	tmz@zromance.com
Website			www.amsat.us
ATLAS ASSETS			
A/R # 14537814	Seller ID: 1235569	2021 Business Center Drive Ste. 210	
A/P # 668812	Sales ID: ATLAS	Irvine, CA 92612	
Name	Title/Position	Phone	E-Mail
Brian Colin	Primary/Sales	949-307-5269 or 562-234-6554	brian@atlasmediaservices.com
Nick Newsome	Operations Officer	877-788-8463 x801 or 949-310-1364 (cell)	nick@kellymediagroup.com
Shanon Brief	IT	562-234-6554	Briefy00@aol.com
Website			www.ExpressDishTV.com

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BASIC YOUR BEST BUY			
A/R # 15723773	Seller ID: 1266150	3650 Millhaven Rd	
A/P # 737566	Sales ID: BASIC	Monroe, LA 71203	
Name	Title/Position	Phone	E-Mail
Karen Stevens	Primary/Sales	318-998-7401 or 318-325-7368 or 800-571-4799 x2103 (O)	karenstevens@directdigital.com
Kay Stokle	Service Manager	800-571-4799 x6527	
Website			www.bybb.com
BETTER TV INC			
A/R # 15909409	Seller ID: 1268069	138 Citation Court	
A/P # 750957	Sales ID: BETTERTV	Homewood, AL 35209	
Name	Title/Position	Phone	E-Mail
Matt Hottle	Primary/Sales	205-823-8515 or 404-909-5040 (cell)	Matt.Hottle@gobettertv.com
Tong Huang	IT	205-421-0095	tong@suidish.com
Website			www.ineedbettertv.com
BLU KIWI			
A/R # 1466088	Seller ID: 1089935	5202 Douglas Corrigan Way Ste. 300	
A/P # 207268	Sales ID: BLUKIWI	Salt Lake City, UT 84116	
Name	Title/Position	Phone	E-Mail
Main number		801-424-0018	
Alan Earl	VP	801-937-6962 (O) or 801-596-7105 or 801-554-5008 (cell)	alan@odyssey-web.com
Bruce Westenskow	IT Contact	801-937-6964	bruce@odyssey-web.com
Website			www.idishnetwork.com
BRANDVEIN COMPANIES INC			
A/R # 504600	Seller ID: 1155038	315 W. Dalton Ave	
A/P # 61553	Sales ID: BRAND	Coeur D'Alene, ID 83814	
Name	Title/Position	Phone	E-Mail
Allan Brandvein	Owner	208-209-0128 (cell)	abrandvein@buymydish.com
Karl Myhre	Reporting	208-292-1099	kmyhre@buymydish.com
Samantha Huff	General Manager	208-292-1099 x 113 or 208-304-3949 (cell)	shuff@buymydish.com
Jerrod Kimbler	IT contact	208-292-1099	support@buymydish.com
Website			www.buymydish.com
CASCADE CALLWORKS INC			
A/R # 476074	Seller ID: 1156832	11800 NE 95th St	
A/P # 59990	Sales ID: CASCADE	Vancouver, WA 98682	
Name	Title/Position	Phone	E-Mail
Main office number		360-567-0504	
Shawn Suhrstedt	Owner	720-840-3422 and 360-281-7774	shawn@cascadecallworks.com
John Kelly	Sales Manager	360-892-6151 (O2) or 360-907-3374 (cell)	johnk@cascadecallworks.com
Website			www.cascadecallworks.com
DIGICOM INC DBA CHANNEL CHOICE			
A/R # 398060	Seller ID: 1170922	35 Quinta Court	
A/P # 55389	Sales ID: CHOICE	Sacramento, CA 95823	
Name	Title/Position	Phone	E-Mail
Dave Johnson	Owner	800-540-9337 or 916-416-7499	DaveJohnson@starband.net
Rick Lemar	IT Contact	941-726-3175	rocket@planet-earth.com
Website			channelchoice.net

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CYBERWORKS SOFTWARE INC			
A/R # 13705866	Seller ID: 1207356	14864 SE Webster Rd, Suite 463	
A/P # 617231	Sales ID: CYBER	Miawaukie, OR 97267	
Name	Title/Position	Phone	E-Mail
Vivek Burhanpurkar	Primary	705-325-6110	vivek@cyberworkstv.com
Ryan Garrow	Main Sales Contact	971-244-8175 (O) or 503-880-4859 (cell)	rgarrow@cyberworkstv.com
Maneesh Singh	IT		msingh@cyberworksvishes.com
Website			www.cyberworkstv.com
DEFENDER SECURITY			
A/R # 10867148	Seller ID: 1157243	1030 N. Lincoln, Suite 1800	
A/P # 415901	Sales ID: DEFENDER	Greensburg, IN 47240	
Name	Title/Position	Phone	E-Mail
David Lindsey	President	317-253-5200 x 202 or 317-714-9189	dlindsey@defendersecurity.com
Marsha Raab	Marketing Manager	800-860-0303 or 877-606-5505 or 812-528-7668 (cell) or 812-623-3893	mraab@defendersecurity.com
Terrence	HR	317-679-9369	
Jeremy Trail	IT		jeremy@agemini.com
Dan Abeln	Business Analyst/IT	317-253-5200 x 224 or 317-727-9561 (Cell)	dabeln@defendersecurity.com
Website			www.dishasap.com
DIRECT PROMOTIONS			
A/R # 14233225	Seller ID: 1265557	515 Congress Avenue Suite 2420	
A/P # 650584	Sales ID: DIRECTPROM	Austin, TX 78701	
Name	Title/Position	Phone	E-Mail
Steve Rad	Primary/Sales	949-279-3456 or 949-777-3807	steve@mydirectpromo.com
Anthony Straus	IT	949-283-5436	anthony@protekt.com
Website			www.mydirectpromo.com
DISH 4 YOU LLC			
A/R # 7901	Seller ID: 1166091	4802 Old Hickory Blvd	
A/P # 10786	Sales ID: DISH4U	Hermitage, TN 37076	
Name	Title/Position	Phone	E-Mail
Dewey Hewitt	Sales	615-456-0093	dewey@ccdish.com OR ccdish@bellsouth.net OR getdish@ccdishtv.com
Terri	Office Mgr	615-889-4632	terri@ccdishtv.com
Jim Turner	President	615-456-3474	ccdish1@hotmail.com
Website			www.ccdishtv.com
DISH CENTRAL			
A/R # 1082573	Seller ID: 1170227	15533 NIH 35	
A/P # 299609	Sales ID: CENTRAL	Pflugerville, TX 78660	
Name	Title/Position	Phone	E-Mail
Brandon Adams	Primary	877-541-3474 or 512-563-5361	brandon@logixonline.com
Ron Shumate	National Sales Manager	512-610-2603	Shumate8@hotmail.com
Website			www.dishcentralsecurity.com
DISH DIRECT INC			
A/R # 32956	Seller ID: 1236556	2515 Tarpley Rd.	
A/P # 15795	Sales ID: DISHDIRECT	Carrollton, TX 75006	
Name	Title/Position	Phone	E-Mail
Dan Ratcliff	Primary/Sales	972-390-8800 ext. 200 or 972-679-6426	dratcliff@dishdirect.com
Dave Everest	IT	972-365-4120	daveerest@dishdirect.com
Website			www.dishdirect.com
DISH FACTORY			
A/R # 10848618	Seller ID: 1156353	4500 Cherry Creek Dr S, Suite 410	
A/P # 415829	Sales ID: FACTORY	Glendale, CO 80246	
CSG Showroom Acct1	8255404010834587		
CSG Showroom Acct2	8255404010832110		
Name	Title/Position	Phone	E-Mail
Scott Larson	Co-Owner	720-838-8898 (cell)	scott.larson@dishfactorydirect.com
Antonio Najera	CA Call Center Mgr		anajera@dcmarketing.com
Website			www.dishfactorydirect.com
MCLAUGHLIN AGENCY INC DBA DISH FOR US			
A/R # 493308	Seller ID: 1167388	4131 Southside Blvd, Suite 105	

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A/P # 60921	Sales ID: DISHFORUS	Jacksonville, FL 32216	
Name	Title/Position	Phone	E-Mail
Dan McLaughlin	Primary	904-645-9156	DSNSAT@AOL.COM
James Grover	IT		igrover@akostech.com
Website			
DISH INSTALLATION INC			
A/R # 10819085	Seller ID: 1267496	2650 S Falkenburg Rd	
A/P # 412706	Sales ID: DISHINSTALLS	Riverview, FL 33569	
Name	Title/Position	Phone	E-Mail
Kevin Moran	Primary/Sales	800-957-3304 or 813-246-9088 or 813-471-4092	kevin@bckcom.com
Rob Fiddelke	IT	800-957-3304 x2396	rfiddelke@bckcom.com
Website			
DISH NATION			
A/R # 10238201	Seller ID: 1135669	1700 Lawrence Street, Suite 500	
A/P # 367240	Sales ID: CENTRIC	Denver, CO 80202	
CSG Showroom Acct	8255404010825692		
Name	Title/Position	Phone	E-Mail
Gary Evesson	IT	303-899-4000 ext 300	gevesson@decentrix.com
Wayne Ruting	President	303-899-4000	wruting@decentrix.com
Shawn Portella	VP		shawn.portella@centricholding.com
Gaye Baird	Sales Manager	303-629-0663 (O) or 720-560-2522 (cell) or 866-669-4388 or 303-526-0989	gaye@dishnation.com
Website			www.dishnation.com

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DISH PRONTO			
A/R # 10361275	Seller ID: 1152835	940 Lincoln Rd	
A/P # 380748	Sales ID: PRONTO	Miami Beach, FL 33139	
Name	Title/Position	Phone	E-Mail
Main Line		786-206-4469	
Mike TriMarco	Owner	212-981-6697 x14 (O) or 516-848-3388 (cell)	mike@dishpronto.com
Mark Dube	IT Manager	305-672-2827	'mark@webclickconcepts.com'
Tony Park	Dbase Architect	786-206-4469	tony@dishpronto.com
Sandy D'souza	Sales	800-811-8410 x 0	Sandy.Dsouza@adventity.com
Gautam Banerjee	Sales	800-811-8410	Gautam.Banerjee@adventity.com
Steve Britt	Sky High Entertainment- West Coast	949-502-7312	
Pete Wagner	Sky High Entertainment- West Coast	949-502-7310	
Jason Schlenker	Call center MGR FLA	305 523-1129 (no DISH in 3 months)	jason.schlenker@inktel.com
Vinod Rao	Sales	800-811-8410	Vinod.Rao@adventity.com
Anthony Gonsalves	Sales	800-811-8410	Anthony.Gonsalves@adventity.com
Website			
DISH SATELLITE TV INC			
A/R # 14544125	Seller ID: 1235850	110 East Main St	
A/P # 669261	Sales ID: DISHSAT	Ravenna, OH 44266	
Name	Title/Position	Phone	E-Mail
Chris Ulrich	Primary/Sales	330-298-9280 or 330-701-3623	chris@dsisat.com
Dave Minkler	IT	330-466-1189	dminkler@technologynow.com
Website			
DISH UPLINK			
A/R # 11231578	Seller ID: 1162380	808 P. St Suite 300	
A/P # 447379	Sales ID: NYBERG	Lincoln, NE 68508	
Name	Title/Position	Phone	E-Mail
Thomas J. Hudson	President/Sales	402-438-3222	tjhudson@nybergsolutions.com
Rick Little	Operations/IT	732-771-3336 (cell) 732-927-0189 (O)	rlittle@dishuplink.com
Website			www.dishuplink.com
DOVE DIGITAL SERVICES INC			
A/R # 11695129	Seller ID: 1192850	5847 HWY 167 N	
A/P# 479817	Sales ID: DOVE	Winnfield, LA 71483	
Name	Title/Position	Phone	E-Mail
Woody Bilyeu	Primary	318-628-1932 or 318-426-6017	woody@comm-craft.com, woody@winnfield.net
Wesley Guillory	IT Director	318-628-2992 x 260	wesleyg@dovedigital.net
Website			
E-MANAGEMENT			
A/R # 620551	Seller ID: 1119062	3350 NW Boca Raton Blvd.	
A/P# 74094	Sales ID: EMANAGE	Boca Raton, FL 33431	
Name	Title/Position	Phone	E-Mail
Main number		800-203-0008	
Elliot Loewenstem	Owner	800-274-0219 (O) or 561-251-7254 (cell)	eloewenstem@dishmanagement.com, elliot@emanagegroup.com
Bruce Cohen	IT	561-750-5150	bcohen@dishmanagement.com
Lanae		800-203-0008 x 239	
Randy			randy@emanagegroup.com
Mitch Hymowitz	Principal	914-428-0184	rmitch@emanagegroup.com
Website			www.mydishnow.com
EBN FINANCIAL DBA DISH SYSTEMS			
A/R # 696797	Seller ID: 1149656	3053 Edinger	
A/P # 101072	Sales ID: EBN	Tustin, CA 92780	
Name	Title/Position	Phone	E-Mail
Main Number		949-777-0100	
Scott Church	Sales Manager		schurch@dish-systems.com
Jerrell Goodman	Operations Manager	949-777-0100 x 3083	jgoodman@dish-systems.com
Website			www.dish-systems.com
ENTERTAINMENT SOLUTIONS			
A/R # 2560199	Seller ID: 1235851	1003 Vernon St	
A/P # 320213	Sales ID: ENTERTAIN	Altoona, WI 54720	
Name	Title/Position	Phone	E-Mail

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Rich Perkovich	Primary/Sales	715-834-3474 or 715-829-0082	entsolutions@sbcglobal.net
Mark Potts	IT	715-829-1565	entsolutions@sbcglobal.net
Website			www.entertainmentsolutions.tv
FLAT ROCK COMMUNICATIONS			
A/R # 14642216	Seller ID: 1265559	3611 Soncy Suite 9-C	
A/P # 676362	Sales ID: FLATROCK	Amarillo, TX 79121	
Name	Title/Position	Phone	E-Mail
John Sturgeon	Primary/Sales/IT	806-359-3476 or 806-236-7544	dish@flatrock.tv
Website		Utilize Trost in OK for call center	
GLOBAL.COM			
A/R # 15598684	Seller ID: 1265550	3121 Michaelson Dr. Suite 300	
A/P # 733371	Sales ID: GLOBAL	Irvine, CA 92616	
Name	Title/Position	Phone	E-Mail
Heather Patalano	Primary/Sales	949-225-3790 or 800-994-4950	hpatalano@globalcomsatellite.com
Tom Fleickhardt	IT	949-225-3795	tfleickhardt@globalcomsatellite.com
Website			www.globalcomsatellite.com
HUNTS COMMUNICATIONS			
A/R # 2562996	Seller ID: 1265558	503 N. Maguire St. Suite A (corporate); 216 Young St (call center)	
A/P # 407790	Sales ID: HUNTS	Warrensburg, MO 64093	
Name	Title/Position	Phone	E-Mail
Brent Hunt	Primary/Sales	660-580-0262	brent@huntcommunications.com
Website			www.dish2me.com
I-SATELLITE			
A/R # 712127	Seller ID: 1167153	251 W River Park Drive #200	
A/P # 139555	Sales ID: ISATELLITE	Provo, UT 84604	
Name	Title/Position	Phone	E-Mail
Jason Borup	Primary Contact	801-221-0222 x 9958 (O) or 801-318-8013	jason@isatv.com
Sean Clark	Sales	801-221-0222 x 9957 (O) or 801-403-8309	sean@isatv.com
Doug Edwards	IT	801-403-8137	doug@isatv.com
Kaydee Shakespear	Logins/HR	801-221-0222	kaydee@isatv.com
Website			www.dishnetworkproducts.com

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INFINITI			
A/R # 386830	Seller ID: 1157245	3871 Colorado, Suite 100	
A/P # 54556	Sales ID: INFINITI	Pasadena, CA 91107	
Name	Title/Position	Phone	E-Mail
Robert Winter	Owner	626-844-3069 (O) or 626-825-5954 (cell)	rlgery@aol.com
Armen Alder		626-676-7260 (cell) or 626-844-3069 (O)	dishdirect2@aol.com
Website			www.dishdirectamerica.com
JSR ENTERPRISES			
A/R # 14840916	Seller ID: 1265554	1740 E Garry Ave S	
A/P # 688037	Sales ID: JSRENTER	Santa Ana, CA 92705	
Name	Title/Position	Phone	E-Mail
Jerry Grider	Primary/Sales	949-553-1056 or 909-331-2832	jgrider@hotmail.com
Richard Goodale	IT	949-553-1056	voice@jsrsatellite.com
Website			
LINX SATELLITE			
A/R # 837604	Seller ID: 1235565	1875 N. 1120 West	
A/P # 136333	Sales ID: LINX	Provo, UT 84604	
Name	Title/Position	Phone	E-Mail
Ray Walden	Primary/Sales	801-870-6989 or 800-804-4159	ray@linxsatellite.com
Jared Hicken	IT	801-572-6566	jared@linxsatellite.com
Website			www.linxsatellite.com
MARKETING GURU			
A/R # 431572	Seller ID: 1131737	901 Hadley Rd	
A/P # 57233	Sales ID: GURU	South Plainfield, NJ 07080	
Name	Title/Position	Phone	E-Mail
Joel Dickstein	Vice President	866-755-9008 x 5035	jdickstein@elephantgroup.com
Zevi Friedman	Analytics	866-755-9008 x 5488	zevif@elephantgroup.com
Joseph Barima	Principal	908-917-7000	BAMIF@aol.com, jbarima@elephantgroup.com
Daniel DaSilva	Sales	908-755-9008 x 5085	ddasilva@elephantwireless.com
Benny Aboud	CEO		baboud@aol.com
Reid Shapiro	VP		reids@elephantgroup.com
Robert Isharjanto	IT	908-755-9008 x 5060	
Website			satellitesales.com
MARKETING INVESTORS CORP			
A/R # 15357081	Seller ID: 1250251	1555 Regal Row	
A/P # 718335	Sales ID: MICINC	Dallas, TX 75247	
Name	Title/Position	Phone	E-Mail
Stephen Lilley	Primary/Sales	214-915-7192	stephen.lilley@usalink.com
Rick Glashan	IT	214-915-7051	rglashan@chapmandata.com
Website			
MARRIK DISH			
A/R # 501959	Seller ID: 1160765	4102 Monroe St	
A/P # 61449	Sales ID: MARRIK	Toledo, OH 43606	
Name	Title/Position	Phone	E-Mail
Mark Ralston	President	419-475-6538 x 202 or 419-261-3474 (cell)	mralston@mdunity.com
Jamie Lauer	IT	419-475-6538 x 703	
Nate Anderson	IT	419-475-6538 x 704	
Steve Ransom		419-475-6538 x 209	sransom@mdunity.com
Group e-mail			marrikdishtv@hotmail.com
Website			www.marrikdish.com

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MOOREHEAD COMMUNICATIONS			
A/R # 21238	Seller ID: 1157244	2749 W. 2nd Street	
A/P # 8337	Sales ID: MOOREHEAD	Marion, IN 46952	
Name	Title/Position	Phone	E-Mail
Bob Lynn	VP	765-651-2001 x 109 or 765-730-3333 (cell)	blynn@mooreheadcomm.com
Andy McCord	Marketing		amccord@mooreheadcomm.com
Larry Meyers		765-651-2001 x 169	lmeyers@mooreheadcomm.com
Andy Thompson	IT	765-651-2013 x 102	athompson@mooreheadcomm.com
Website			
NPS			
A/R # 2586873	Seller ID: 1113755	7999 Knue Road, Suite 200	
A/P # 322501	Sales ID: NPS	Indianapolis, IN 46250	
CSG Showroom Acct	8255404010814357		
Name	Title/Position	Phone	E-Mail
Machelle Andreanopolis	Account Manager	317-558-3807 or 317-627-6348 (cell)	mandrean@allamericandirect.com
Jon Pardieck	VP and CFO	317-558-3809	jpardieck@allamericandirect.com
Steve Cody	Sales Manager	888-940-4357	scody@allamericandirect.com
Angie Commorato	Marketing Manager	317-558-3834	acommorato@allamericandirect.com
Robert Killebrew	Sales Manager	317-558-3846	rkillebrew@allamericandirect.com
Beth Hughley	Accounting Manager	317-558-3861	bhughley@allamericandirect.com
Chris Parker	Accounting		cparker@allamericandirect.com
Latasha Jones	Team Leader		ljones@allamericandirect.com
Mike Bates	Team Sales Trainer		mbates@allamericandirect.com
Kris Keller	Products and Offer Specialist		kkeller@allamericandirect.com
Website			www.allamericandish.com
NEWPORT SATELLITE GROUP			
A/R # 13461578	Seller ID: 1180948	8965 Research Drive	
A/P # 602216	Sales ID: NEWPORT	Irvine, CA 92618	
Name	Title/Position	Phone	E-Mail
Alex Dastmalchi	Primary Contact, President	949-270-2600	alex@dastmalchi.net
Kelly Sneed	Executive VP, Sales	949-791-7117 (O) 949-350-3009 (cell)	kelly@dastmalchi.net
Ed Martinez	Sales Manager	949-791-7118 (O) 949-350-0023 (cell)	ed@dastmalchi.net
Rob Stark			talstark@hotmail.com
Arezou Dastmalchi	IT	949-270-2660 x8211	arezou@dastmalchi.net
Website			www.dastmalchi.net
ORBIT SATELLITE			
A/R # 49585	Seller ID: 1159834	11875 West Little York #501	
A/P # 25236	Sales ID: ORBIT	Houston, TX 77041	
Name	Title/Position	Phone	E-Mail
Buddy Polk	President	713-644-3474 (O) 713-539-2425 (cell)	buddyp@transtate.com
Howard Newton	IT	713-644-3474 (O) 281-330-5476 (cell-emergencies only)	howard@transtate.net
Website			www.orbitsatellite.tv
REACH MEDIA INC			
A/R # 1058657	Seller ID: 1167598	315 Arden Ave, Suite #26	
A/P # 170610	Sales ID: REACH	Glendale, CA 91203	
Name	Title/Position	Phone	E-Mail
Elie A. Kawkabani	Principal	818-243-0278 (O) or 213-446-1111 (cell)	elie.kawkabani@reachmediatv.com
Website			
RPM TECHNOLOGIES AND SATELLITE			
A/R # 1771051	Seller ID: 1236557	990 N. Bowser RD Suite 900	
A/P # 241970	Sales ID: RPMSAT	Richardson, TX 75081	
Name	Title/Position	Phone	E-Mail
Manuel Olivarez	Primary	214-342-2220 ext 232 or 469-853-8520	molivarez@rpmsatellite.net
Richard Montgomery	Sales	214-342-2220 ext 231	rmontgomery@rpmsatellite.net
Josh Odegard	IT	214-341-2852	josh@mycpwerks.com
Website			www.rpmsat.com

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SATELLITE COUNTRY			
A/R # 459522	Seller ID: 1159134	1714 Fortview Rd, Suite 104	
A/P # 59045	Sales ID: COUNTRY	Austin, TX 78704	
CSG Showroom Acct			
Name	Title/Position	Phone	E-Mail
Lynn Jenkins	Owner	512-751-8848 (cell)	lynn@satcountry.com
Pamela McCue	President	512-447-2488 or 512-413-4380	pamela@satcountry.com
J.B. McCluskey	Vice President	866-914-DISH (O) 512-694-5225 (cell)	JBMcCluskey@satcountry.com
Doug Wilkins	Sales Manager	512-735-4700 or 866-914-DISH	dougwilkins@satcountry.com
OE Correspondence email box			OE@satcountry.com
Website			www.satcountry.com
SATELLITE SOLUTIONS			
A/R # 439693	Seller ID: 1169571	2020 Land O Lakes Blvd	
A/P # 57651	Sales ID: SOLUTIONS	Lutz, FL 33549	
Name	Title/Position	Phone	E-Mail
Bill Smith	Primary	813-751-1020 x 101 or 813-751-1020	bsmith@cutcable.tv or bsmith@satellitesolutions.com
Website			
SATELLITE SYSTEMS NETWORK			
A/R # 821970	Seller ID: 1137169	135 Columbia	
A/P # 133868	Sales ID: SATSYS	Aliso Viejo, CA 92656	
Name	Title/Position	Phone	E-Mail
Alex Tehranchi	President	800-615-0241	alex@yourdish.tv
Keith Denham	IT	800-615-0241 x 152	keith@yourdish.tv
Mario Sardagna	Sales	800-615-1621 x 117	mario@yourdish.tv
Matthew Higham	Sales	800-615-1621 x 152	mark@yourdish.tv
Jeremy Kirby	Sales	800-615-1621 x 135	jeremy@yourdish.tv
Brandon Smith	Sales	800-615-1621 x 100	brandon@yourdish.tv
Website			www.mydirectpromo.com
SATELLITE SYSTEMS NOW			
A/R # 13508141	Seller ID: 1207353	15375 Barranca Parkway # D	
A/P # 604908	Sales ID: SATNOW	Irvine, CA 92618	
Name	Title/Position	Phone	E-Mail
John Shahidi	Primary	949-861-4949	johnshahidi@mac.com
Sam Shahidi		949-861-4943	sam@xsatellite.com
Website			
SIMPLY WIRELESS			
A/R # 15779590	Seller ID: 1265551	2730 Prosperity Ave, Ste 250	
A/P # 742578	Sales ID: SIMPLY	Fairfax, VA 22031	
Name	Title/Position	Phone	E-Mail
Kyle Maddock	Primary/Sales	703-402-4124 or 703-343-2700	kmaddock@simplywireless.com
Website			www.simplywireless.com
JEFF HUGHES DBA STERLING SATELLITE			
A/R # 10039650	Seller ID: 1166094	10175 N 11086 Stonewood Drive Ste. B	
A/P # 346687	Sales ID: STERLING	Germantown, WI 53022	
Name	Title/Position	Phone	E-Mail
Main Line		800-847-8660	
Jeff Hughes	Owner	262-442-5103 (cell) or 262-437-0105 (O)	Jeff.Hughes@sterlingsatellite.com
Sam Hughes	Credit Alert Contact	262-437-2312 (O)	sam.hughes@sterlingsatellite.com
Jason Decker	Sales Manager	414-331-3366 (cell) or 800-847-8660 (O)	jason.decker@sterlingsatellite.com
Website			www.sterlingsatellite.com
TODAY'S SATELLITE DBA GO DISH			
A/R # 20121	Seller ID: 1119061	10041 Regal Row Suite #100	
A/P # 8348	Sales ID: SATTODAY	Houston, TX 77040	
Name	Title/Position	Phone	E-Mail
Dale Perry	Sales	713-983-2200 x 235	dperry.smgr@godish.com
Damon Diamantaras	CEO	713-983-2200	damon.ceo@godish.com
Patrick Galdes	Sales	713-983-2200 x 275 or 281-808-6255 (cell)	pgaldes.smgr@godish.com
John Kaufmann		713-983-2200 x 270	jkaufmann.mgr@godish.com

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Kent Taylor	Sales	713-983-2200 x 272 or 281-467-1882 (cell)	ktaylor.sale@godish.com
Website			www.godish.com

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TOTAL MARKETING SOLUTIONS			
A/R # 1339338	Seller ID: 1152735	8051 Cessna Avenue, #160	
A/P # 195338	Sales ID: TMS	Gaithersburg, MD 20879	
Name	Title/Position	Phone	E-Mail
Main Line		301-216-0108	
Jason Tsai	Owner	301-675-7935 (cell)	jason@writetms.com
Gary Chang	Sales Manager	301-537-8142 (cell) or 240-447-2083	gary@writetms.com
Mark Tai	Emergency contact in Jason and Gary's absence	240-505-4210	mark@writetms.com
Mike Lin	IT Manager	240-350-5012 (cell)	mike@writetms.com
Vin Bay	Reporting		vbay03@yahoo.com
Website			
UNISAT COMMUNICATIONS INC			
A/R # 1986	Seller ID: 1167121	14111 Freeway Drive	
A/P # 1425	Sales ID: UNISAT	Santa Fe Springs, CA 90670	
Name	Title/Position	Phone	E-Mail
Ron Zeffer	Owner	562-572-7164	ron@infodish.com
Brett Stewart	General Manager	800-793-8171 x 380	brett.stewart@dishmaster.com
Brad Dean	IT	562-577-7986	brad@infodish.com
Website			
USA CABLE DBA DIGITAL TV			
A/R # 9106	Seller ID: 1166093	100 Water Works Ave	
A/P # 7604	Sales ID: USA CABLE	Hillsdale, MI 49242	
Name	Title/Position	Phone	E-Mail
Main	Main	517-439-0026	
Dallas Hawkins	Owner	517-439-0026 x 104	dhawkins@digitaltvdish.com
Larry Ruby (or Dallas)	Sales	517-439-0026	
Scott Free	Marketing	517-439-0026 or 866-365-0347	scottfree@digitaltvdish.com
Eric Olmstead	IT Contact	517-610-1373	eric@smblic.net
Website			www.digitaltvdish.com
VMC COMMUNICATIONS INC			
A/R # 555103	Seller ID: 1166908	10205 Colvin Run Rd	
A/P # 66700	Sales ID: VMC	Great Falls, VA 22066	
Name	Title/Position	Phone	E-Mail
Zee Rahim	President		vmczar@aol.com
Charlie Proffitt	Sales Manager	703-206-1160, 202-415-1000 (cell)	ctpintl@aol.com
	IT	703-206-1177	bestinfo@aol.com
Website			

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OE TOOL SALES PARTNERS CONTACT LIST- TERMINATED			
Exceptions Line	888-833-9997 or 888-699-0020 (option 1)		
DNS Escalation Line	888-332-3474 (option 1) or 888-699-0020 (option 3)		
DIGITALINK SATELLITE.COM			
A/R #: 623250	Seller ID: 1235567	2502 Centennial Drive	
A/P #: 74222	Sales ID: DIGITALINK	Arlington, TX 76011	
Name	Title/Position	Phone	E-Mail
Craig Christianson	Primary	281-658-3474 or 972-489-3474 or 888-802-3474	craig_christianson@hotmail.com
Christy Agresti	Sales	281-658-3474	flashrx7@hotmail.com
Ricky Brown	IT	214-680-8027 (cell)	rick@lchelp.org
Website			
ORACO INC DBA DISH PLANET			
A/R #: 771256	Seller ID: 1159135	224 Airport Pkwy, Suite 170	
A/P #: 259164	Sales ID: PLANET	San Jose, CA 95110	
Name	Title/Position	Phone	E-Mail
Arvin Patel, Esq	COO	408-436-5031 (O) 650-444-1332 (cell)	apatel@dishplanet.com
Saurabh Khetrapal	President and CEO	408-436-9992 (O) 650-444-1371 (cell)	skhetrapal@dishplanet.com
Nick Luczak	Sales/Customer Service Manager	414-235-0885 (cell)	nluczak@dishplanet.com
Ken Richard	Media Director		krichard@dishplanet.com
Website			www.dishplanet.com
MARKETLINK INC			
A/R #: 14340883	Seller ID: 1214252	4035 Fleur Drive	
A/P #: 656717	Sales ID: MARKET	Des Moines, IA 50321	
Name	Title/Position	Phone	E-Mail
Kourtney Keough	VP of Sales/Client Services	515-285-3420, x1218 or 515-314-5256	kkeough@marketlinkinc.net
Andrea Henson	Director of Operations		ahenson@marketlinkinc.net
Bob Beaman	Director of Sales		bbeaman@marketlinkinc.net
David Poskevich	IT	515-285-3420 x1231	dposkevich@marketlinkinc.net
Website			

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S & D MARKETING INC			
A/R #: 11054713	Seller ID: 1170102	2200 Michener Street, Suite 11	
A/P #: 431978	Sales ID: SDMARKET	Philadelphia, PA 19115	
Name	Title/Position	Phone	E-Mail
Erik Hudson	Primary	215-676-7844 or 267-266-6551	ehudson@sdmarketing.com
Sissy Steinman	Sales	267-243-1020	ssteinman@sdmarketing.com
Shai Fishman	Main OE Contact	215-676-7374 (O) or 267-231-5502 (cell)	sfishman@sdmarketing.com
Ryan Murphy	IT	215-676-9950	ryanmurphy@sdmarketing.com
Ross Rex	Financial		
Website			www.sdmarketing.com
TETON WIRELESS			
A/R #: 13637321	Seller ID: 1184355	1665 N Woodruff Ave	
A/P #: 191914	Sales ID: TETON	Idaho Falls, ID 83401	
Name	Title/Position	Phone	E-Mail
Donna Nims	Director, Regional Operations	208-529-0184 x203 (O) or 208-520-5955 (cell)	dnims@tetonwireless.com
Tom Carey	Director, Technical Operations	208-529-0184 x212 (O) or 208-520-9042 (cell)	tcarey@tetonwireless.com
Jake Van DeWater	IT Specialist	208-529-8895 x219	
Analissa Bowcutt	Inside Sales and Office Mgr	208-529-0184 x209	
Website			
UNITED SATELLITE			
A/R #: 11450877	Seller ID: 1162573	6 A Liberty	
A/P #: 462488	Sales ID: UNITED	Aliso Viejo, CA 92656	
CSG Showroom Acct			
Name	Title/Position	Phone	E-Mail
Mike Gleason	CEO	949-268-3116 (O) or 949-355-7236 (cell)	mgleason@directmediacorp.com
Jason Lines	Main Contact/Receives Reporting	949-268-3113 (O)	jasonl@cllservices.com
Justin Greer	Sales Manager	949-268-3125	jgreer@cllservices.com
Shaun Gazzara	Sales Manager		sgazzara@cllservices.com
Nathan Ellis	Sales Manager	888-282-4775 x 8019	nellis@cllservices.com, nellis@uniteddish.com
Duy Dinh	IT Consultant	949-254-3407 (cell)	ddinh@cllservices.com
Website			

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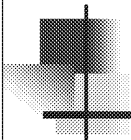
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EXHIBIT 310

EXHIBIT 310

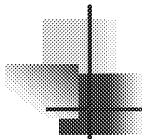
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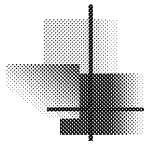
Retail Services

Audit and Risk
Q4 2006
Effective October 1, 2006



Top 10 Initiatives

Initiative	Expected Result
Staffing Changes	Increase staffing to address identified risk issues
OE Monitoring	Improve customer experience and insure compliance with legal disclosures
TCPA	Demonstrate EchoStar / Dish support to involved legal entities minimizing corporate risk
Secret Shopping	Actively Identify Churn and OOB Retailers
Duplicate House Process	Monthly processing of referred duplicate accounts
Use of Third Parties	Process for managing retailer use of third parties
Legal Disclosures	Ensure compliance with contractual and regulatory disclosure requirements
Trademark Misrepresentation	Process to identify and respond to retailer trademark infringement / misrepresentations
Matrix Queue	Maintain 60-90 day SLA
Procedure Re-write	Accurate SOX and Training documents



Staffing Changes

- **Who is working on this initiative?**
 - Reji Musso & Christina Voorhies
- **Why is this one of your initiatives?**
 - Increased Staffing for increases in reporting
 - New Processes
 - Duplicate House / CMO
 - Secret Shopping
 - SSN research
 - TCPA
 - 3rd Party
- **What are the milestones - deliverables and dates?**
 - Staffing Levels
 - Additional three auditors Deliverable by November 1st
 - Additional support for Compliance Deliverable by November 1st
- **What is the next deliverable and when is it due?**
 - Ongoing

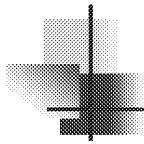


OE Monitoring

- **Who is working on this initiative?**
 - Reji Musso
- **Why is this one of your initiatives?**
 - To improve the customer/consumer experience with quality assurance feedback
 - To insure that our retailers are providing all disclosures to consumers / customers and verify adherence to the terms of their Retailer Agreements
 - To prevent unnecessary calls into the CSC due to inaccurate or misunderstood information
- **What are the milestones - deliverables and dates?**
 - Process Documents to Partners – 8/30
 - Initial contact to be completed by 10/1.
 - All top OE Partners submitting calls by 10/30.
 - Weekly follow-ups with partners, who have provided calls, to review QA beginning September 8, 2006 and ongoing.
 - Addition of 2 new OE partners to the list –
 - Global Com
 - Satellite Systems Now
- **What is the next deliverable and when is it due?**
 - Insure that all designated partners are delivering calls as requested and promised.

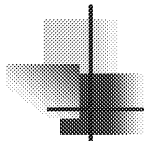


- **Who is working on this initiative?**
 - Reji Musso, Christina Voorhies, Lisa Vallejos, Denise Hargan, Dana Steele, Marcie Metzger
- **Why is this one of your initiatives?**
 - To proactively work to minimize the consumer / customer impact through notifications to retailers and partners and to insure consistent follow-through.
 - To be able to demonstrate to all legal entities that our compliance is ongoing
 - Because adherence is critical to minimize corporate financial risks and liabilities.
- **What are the milestones?**
 - Clarify process with CSC and Legal – 10/18
 - Update and document RS-Compliance internal process from reception to completion of complaint
 - Update the RS TCPA tracker - TBD
 - Outstanding letters and complaints to a current status (48 hour turnaround) – 10/6
 - Take over management of Vendor Inquiries – 10/31
- **What is the next deliverable and when is it due?**
 - Clarify process with CSC and Legal due 10/15.



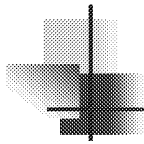
Secret Shopping

- **Who is working on this initiative?**
 - Christina Voorhies, Shandra Lawrence, Roger Hernandez
- **Why is this one of your initiatives?**
 - Our interest is to understand the sales strategies that our dealers employ when discussing options for prior or existing subscribers
 - Stop Retailer flips of existing subscribers
 - Ensure residual payments are paid appropriately. Ensure retailers continuously and actively market and promote DISH DBS Systems and Programming
- **What are the milestones - deliverables and dates?**
 - Top Three Hundred First Call
 - November 1 2006
 - Top Three hundred Second Call
 - December 1 2006



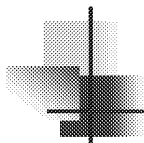
Duplicate House Process

- **Who is working on this initiative?**
 - Christina Voorhies, William Davis, Michelle Lujan, Shandra Lawrence, Joey Newman
- **Why is this one of your initiatives?**
 - Once accounts are identified as duplicate, our goal is to identify whether it is consumer fraud or retailer fraud
 - To ensure incentive payments were paid appropriately
 - To identify and correct repetitive behavior by retailers
- **What are the milestones - deliverables and dates?**
 - As of October 1 2006 to receive weekly reports of duplicate accounts
 - November 1 2006 Disposition previously reported batches
- **What is the next deliverable and when is it due?**
 - Ongoing



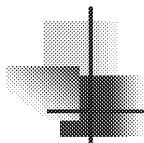
Retailer Use of Third Parties

- **Who is working on this initiative?**
 - Reji Musso and Mike Mills
- **Why is this one of your initiatives?**
 - Use of affiliates/third party vendors is a violation of the Retailer Agreement unless the vendor has prior approval from EchoStar. It is important to make sure that E* has all of the information on these providers.
- **What are the milestones – deliverables and due dates?**
 - Provide Vendor/Affiliate Application – 10/5
 - Business Rules to legal for approval – 10/5
 - Gather information from the Top 20 OE Partners regarding affiliates – 10/6
 - Establish reference data base for information provided by applicants
 - Develop Web notification of "Approved" vendors
- **What is the next deliverable and when is it due?**
 - Ongoing



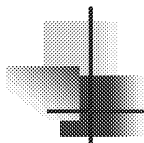
Legal Disclosures

- » Who is working on this initiative?
 - » Reji Musso, Legal, Marcie Metzger, Mike Mills, Bruce Werner
- » Why is this one of your initiatives?
 - » It is a legal settlement with 13 states and reporting is required.
 - » Ensure retailers and sales partners provide all required pre sale disclosures
- » What are the milestones – deliverables and dates?
 - » Confirm process with CSC which will mirror the TCPA process – 10/27
 - » Map internal process for Retail Services to include retailer notification and RS follow-up – 11/15 – predicated on successful meeting with CSC
 - » Design tracker – 11/15
 - » Communication to field (?) – TBD
- » What is the next deliverable and when is it due?
 - » Meeting with CSC – 10/27



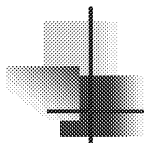
Trademark / Misrepresentation

- **Who is working on this initiative?**
 - Reji Musso and Ron Dufault
- **Why is this one of your initiatives?**
 - Violations go undetected and because of the heightened attention with legal ramifications on misrepresentation, the line between E*, DISH Network and the authorized dealer needs to be clearly drawn on behalf of customers and consumers.
- **What are the milestones – deliverables and due dates?**
 - ?
- **What is the next deliverable and when is it due?**
 - ?



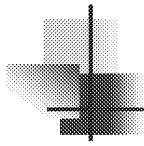
Matrix Queue

- **Who is working on this initiative?**
 - Christina Voorhies and Lisa Vallejos
- **Why is this one of your initiatives?**
 - Audits are not current and information is outdated
 - Without this initiative and support to the Matrix Queue, audits would not be maintained in a timely manner
 - No organization to the timeline that audits are handled
- **What are the milestones - deliverables and dates?**
 - Three Matrix Levels
 - 10 months out on audits 12/31/2006
 - 5 Months out on audits 03/31/2007
 - 2 Months out on audits 06/30/2007



Procedure Re-Write

- **Who is working on this initiative?**
 - Christina Voorhies, Lisa Vallejos, Ron Dufault, Joey Neumann, Shandra Lawrence, Vanessa Aliaga and Roger Hernandez
- **Why is this one of your initiatives?**
 - Basic procedures were not well documented
 - SSN verification procedure
 - Unauthorized activations
 - Quality Assurance procedures
- **What are the milestones - deliverables and dates?**
 - First Draft Oct 1 2006
 - Revised Draft Nov 1 2006
 - Final Draft Jan 1 2007



Reporting – All Initiatives

- **Who is working on this initiative?**
 - Reji Musso and Christina Voorhies
- **Why is this one of your initiatives?**
 - Each of all "initiatives" will require accurate and timely reporting and there is an inter-dependency because the same partners are involved in multiple projects
 - To make sure that we can measure improvements, demonstrate to management and legal entities that our initiatives are making a difference
- **What are the milestones?**
 - Design an OE Monitoring Report that encompasses history and results in a more reader friendly format 10/31
 - Provide TCPA Reports that provide details
 - Develop an AG Disclosures Report TBD
 - Reports for Retailer Compliance concerns –
 - Use of Affiliates
 - Presale Disclosure Issues (?)
 - Trademark Infringement
 - Misrepresentation
 - Yellow Pages

EXHIBIT 311

EXHIBIT 311

To: Ergen, Charlie[Charlie.Ergen@echostar.com]
From: jaytee
Sent: Tue 10/3/2006 10:43:26 PM
Subject: unwanted calls

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dear charlie,

thanks for promptness and truly appreciated if you can involve personally.

after dozens of call received i tried to find out myself why dish is violating 'triple' way.

one time solicitor gave me as call back # [which never went Thur] and said they are working for big national retailer in Colorado state probably name is 'all-sat ' [may be all satellite] most of the calls are coming from overseas/Asia [you might argue ,oh we don't control them but one way or other they are promoting your products...nothing else. getting our number from your retailers .there is one company call E-serve based in Asia] if i would not have spent so much my time then for common public it seems like dish network employees. [believe me]

who you can refer me /or have them call me from HQ office about my own international programming [only from your president's office call i want complaint to you as 'unwanted call!']

thank you
jt

"Ergen, Charlie" <Charlie.Ergen@echostar.com> wrote:

jt,

Thank you for your email. We do take any call to our customers that are not desired as serious. I have turned over your complaint to our Legal Advisor, David Moskowitz. If possible I would like for him to be able to contact you so we can track down the person/company making these calls. I am not sure 'AllSat' is a real name and I am not sure what you mean by 'overseas'. We would appreciate your help in solving this problem. I can assure you Dishnetwork does not condone these calls.

Charlie

-----Original Message-----

From: jaytee [mailto:willseeyouat@yahoo.com]
Sent: Friday, September 29, 2006 3:03 PM
To: Ergen, Charlie
Subject: jd power certificate

sir,

i am really proud that your company has earned customer satisfaction certificate.
unfortunately your VP office cant resolve my complaint,it is serious but YOU can resolve it.
1] we have existing dish service
2] our tel #909 989 5522 is a DO NOT CALL number
3] we are getting calls after 9 or 930 pm

we are getting calls from your national retailer AllSat IN COLORADO, overseas i mean everywhere

can you stop immediately

next call will be reported to FCC

thankyou

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respond me first to get details.
thank you in advance
jt

Do you Yahoo!?
Get on board. You're invited to try the new Yahoo! Mail.

Get your own web address for just \$1.99/1st yr. We'll help. Yahoo! Small Business.

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