

Work Order: 92037716000014002  
 Open NC- NEW CONNECT 03/24/2007 AM  
 TECH: 010548940



JIM KINDER  
 858/551-8852  
 858/551-8852  
 5775 CAMINITO PULSERA  
 LA JOLLA, CA 92037-7160

San Diego Office  
 MANAGEMENT AREA: 01  
 CSG ACCOUNT: 8255909557132369  
 RESCHED COUNT: 0  
 LAST EVENT: N/A

Activated:  
 Warranty: DISH Home Protection Plan

Electronically Filed  
 Mar 30 2021 11:25 a.m.  
 Elizabeth A. Brown  
 Clerk of Supreme Court

WORK ORDER REASON: Digital Home Advantage DIGITAL HOME

STANDARD NOTES:

WORK ORDER NOTES: Sales Partner- DISH CENTRIC LLC. -- DCEN015 -

SALE -- CERTIFICATE # CDG30510112

DISPATCHER NOTES: N/A

ORBITAL LOCATIONS: 110°W Orbital Install, 119°W Orbital Install

Service Activities

Standard Video Installation

Additional Receiver Installation

Additional Tuner Hookup

Additional Tuner Hookup

Hardware Required

20 inch DISH (video)  
 DH 522/625 Primary Recvr  
 Non-Legacy Twin LNBF

DH 322 Receiver

AA ACTIVATION  
 T( Standard Video Installation  
 D- NON-LEGACY TWIN LNBF  
 HW ADD'L RECVR MKP  
 Q- DH 322 RECEIVER  
 R. ADDL 2ND TUR  
 TS DH 522/625 P RCVR  
 XD 20 inch DISH (video)

4W 2nd Tuner Install  
 .D DHA COMMIT  
 ?? SALES PARTNER  
 Retail DHA  
 DHPP WARRANTY  
 D- R CLUBDISH50  
 K: DHA 18  
 O- CERTIFICATE PICKUP

ZH 110° & 119° Services  
 AB TOP 100  
 BE DMA SN DIEGO  
 D2 SHOWTIME  
 2U 119°W Orbital Install  
 Z6 110°W Orbital Install

CUSTOMER EQUIPMENT: No Equipment In System

Account holder must sign and initial the DHA 18 month commitment agreement  
 Collect and attach Certificate page to signed Customer Agreement.  
 +++ Account can be activated via the IVR; call using the customer phone whenever  
 possible; IVR will auto route; follow the activation prompts. +++

\*\*\*\*\* Z E R O in on SAFETY \*\*\*\*\*

\*\*\*\*\*

\*\*\*\*\*

"A1"  
 Wilson  
 is the owner  
 the telephone  
 gave me

Dish Nation 2  
 DCEN 015  
 1247-H3  
 1-877-926-2300

3-20-07  
 @ 858 551-  
 8852  
 6:28pm end of  
 call  
 Acct #  
 8255 9095 57132369

Pre-call date

Completion date

Installer name

PX1299-003

Printed: JA011679  
 010446

Confidential-US v. DISH

DISH5-0000038055  
 Docket 81704 Document 2021-09156  
 102-010941



E\*Connect - Account Memos

Account Number: 8255909557132369  
Work Order Number: 92037716000014002

Account Notes

-----  
A01 03/20/07 DCEN015 - PARTNER WEB DHA SALE -- CERTIFICATE # CDG3051011262  
USED

Printed: 03/23/2007  
**PX1299-004**

**JA011680**  
010447


[Home](#) | [Order](#) | [Selector](#) | [Offers](#) | [Programming](#) | [Receivers](#) | [Contact](#)
Promotion ID:  
**ZGR-C3B****FAST ONLINE ORDERING**

Standard System  
 Digital Video Recorder System  
 High Definition System  
 Combo HDTV & DVR System  
 International Offers  
 Ofertas Latinas  
 Why Dish Network?  
 About Dish Nation  
 Questions?  
 Club Nation  
 Affiliate Program  
 Support  
 Search  
 Site Map

**Contact Dish Nation****New Customers or to Check Order Status**

If you have questions, comments or suggestions, feel free to contact us anytime by email or phone. Contacting us is easy.

Your Name

Phone Number

Email

Question

Monica  
 w/ the satellite  
 TV Co  
 Monica w/ the  
 satellite TV Co

Send Reset

PRTM 3-20-07

**By Phone**

Simply call **1-866-669-4388 (1-866-NOW-HDTV)** to order DISH Network service, schedule your installation, or ask a question.

**Customer Support**

Call us Toll free: **1-877-926-2300**

1-800-333-DISH is the  
 given to me by the telemarketer



| [Home](#) | [Order](#) | [Selector](#) | [Offers](#) | [Programming](#) | [Receivers](#) | [Contact](#) | [Search](#) | [Site Map](#) |  
 | [Residential Agreement](#) | [Privacy Statement](#) | [Subscriber Privacy Notice](#) |

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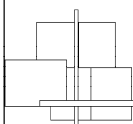
[Home](#) [Order](#) [Selector](#) [Contact](#) [Offers](#) [Best Programming Deal](#) [Best DVR Deal](#) [Best HDTV Deal](#) [Best DVR & HDTV Deal](#) [Home Protection Plan](#) [Programming Overview](#) [Basic Packages](#)  
[Local Channels](#) [Movies](#) [HDTV](#) [Sports](#) [International](#) [Parental Control](#) [Adult](#) [Receivers](#) [DISH 311](#) [DISH 122](#) [DISH Player-DVR 510](#) [DISH Player-DVR 625](#) [DISH 511](#) [DISH Player-DVR](#)  
[942](#) [Standard System](#) [Digital Video Recorder System](#) [High Definition System](#) [Combo HDTV & DVR System](#) [International Offers](#) [Ofertas LaUna](#) [Why Dish Network?](#) [About Dish Nation](#)  
[Questions?](#) [Club Nation](#) [Affiliate Program](#) [Support](#) [Search](#) [Site Map](#) [Residential Agreement](#) [Privacy Statement](#) [Subscribe](#) [Privacy Notice](#)

EXHIBIT 590

EXHIBIT 590

JA011683  
010450

TX 102-010945



# Retail Services

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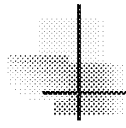
Audit and Risk  
Q4 2006  
Effective May 1, 2007



**PX0536-001**

JA011684  
010451

1



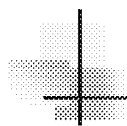
# Goals and Objectives

## **Company Goals and Objectives**

- Increase DISH Network subscriber base
- Reduce subscriber churn and disconnects
- Increase RPU (revenue per unit/subscriber account)
- Increase Retailer loyalty and trust
- Reduce and mitigate risks to EchoStar and DISH Network brand

## **Audit & Risk Team Goals**

- Hire, develop and retain appropriate resources
- Increase number of lines researched ( 8% of all activations TVRO / OE)
- Implement appropriate strategies for addressing compliance issues



## Top 10 Initiatives

<b>Initiative</b>	<b>Expected Result</b>
Staff Changes – Head Count	Increase staff to address Company & Team Goals
Sox Testing	Begin Testing procedures for Sox
Procedure Re-write	SOX and Training documents will be accurate
Matrix Queue	Maintain 60-90 day SLA
Duplicate House Process	Monthly processing of referred duplicate accounts
SSN Research (Identity Theft)	Name and Credit File mismatches are addressed
EVT Charge Back	Resolve Distributor Charge Backs
Compliance - TCPA	Minimize corporate risk regulatory control
Compliance – Legal Disclosures	Insure disclosures are given for all sales
Compliance Trademark / Misrepresentation	Clear distinctions between EchoStar and Partners



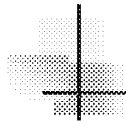
## Staffing Changes – Head Count

- **Who is working on this initiative?**
  - Reji Musso & Christina Voorhies
- **Why is this one of your initiatives?**
  - New Processes require additional heads
    - OE Monitoring, Duplicate House / CMO, Secret Shopping, SSN research, Identify theft verification SSN mismatch, TCPA, 3rd Party
- **What are the milestones - deliverables and dates?**
  - Budget approved week of 1/27/07
  - Incremental heads Audit 8, Compliance 3 through Q2
- **What is the next deliverable and /when is it due?**
  - Job descriptions to be drafted and approved - Complete
    - Reposted to backfill position
    - Offers are with Comp for two positions in Compliance – 1 position on hold due to ITR freeze in CSC.
  - Ongoing recruiting

**PX0536-004**

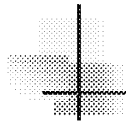
**JA011687**  
010454

**4**



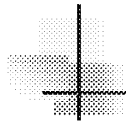
## SOX Testing

- **Who is working on this initiative?**
  - Christina Voorhies
- **Why is this one of your initiatives?**
  - To be prepared for SOX review
  - Ensuring processes that we have in place are correct
- **What are the milestones - deliverables and dates?**
  - Work through pre test by 5/11/07
  - Continue to improve processes until SOX review
- **What is the next deliverable and when is it due?**
  - Pre Test 5/11/07



## Procedure Re-Write

- **Who is working on this initiative?**
  - Christina Voorhies
- **Why is this one of your initiatives?**
  - Basic procedures have not been well documented
    - SSN verification procedure, Unauthorized activations, Quality Assurance procedures and SOX documents no longer reflect current process
- **What are the milestones - deliverables and dates?**
  - First Draft complete 6/29/07
  - Revised Draft complete 7/27/07
  - SOX update approved 5/1/07
  - Post Audit Check List Complete 3/30/07
  - Revision Due end of Q3
- **What is the next deliverable and when is it due?**
  - Implementation Q4



## Matrix Queue (UPDATE)

- **Who is working on this initiative?**
  - Christina Voorhies and Lisa Vallejos
- **Why is this one of your initiatives?**
  - Relieve Audit backlog
  - Better manage workflow
- **What are the milestones - deliverables and dates?**
  - 10 months out on audits 7/27/07
  - 5 Months out on audits 10/26/07
  - 2 Months out on audits 12/28/07
  - Maintain Dashboard weekly
- **What is the next deliverable and when is it due?**
  - 10 months out on audits 7/27/07

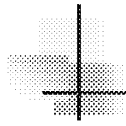
**PX0536-007**



## Duplicate House Process

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- **Who is working on this initiative?**
  - Christina Voorhies
- **Why is this one of your initiatives?**
  - SOX Compliance
  - Provide a mechanism for efficiently manage disputes, research and communication
  - To ensure incentive payments were paid appropriately
  - To identify and correct repetitive behavior by retailers
  - Transition process from CMO to Philippines call center
- **What are the milestones - deliverables and dates?**
  - Receive reports of duplicate accounts - Weekly
  - Charge Backs associated to Incentivized and OE retailers are current
  - Determine process for Distributor duplicate accounts – Pending Equifax Qualification Review – 5/21/07
- **What is the next deliverable and when is it due?**
  - Weekly Charge back Provide accurate reporting (Ongoing)



## SSN Research (Identity Theft)

- **Who is working on this initiative?**
  - Christina Voorhies, Vanessa Aliaga and Lisa Vallejos
- **Why is this one of your initiatives?**
  - Address accounts with mismatched account names and credit files
  - Close a whole at the end of many audits – Unauthorized accounts
  - Improve quality of consumer base and Credit Loss Risk
  - To eliminate accounts that have been identified as SSN mismatch through audits
- **What are the milestones – deliverables and due dates?**
  - Build Database to house account numbers and contact info - Complete
  - Procedures- Complete
  - Develop appropriate tools – Right FAX / Equifax Eport 5/18/07
- **What is the next deliverable and when is it due?**
  - Implementation Week 5/21/07



## EVT Charge Back

- **Who is working on this initiative?**
  - Christina Voorhies
- **Why is this one of your initiatives?**
  - Equipment Verification Team unpacked accounts by splitting receivers that were verified at second or other locations
  - Incentive, equipment and other payments were made in error
  - Recovery of Distributor payments need to be made (\$170K+)
  - CB of Incentivized and SP splits is complete however was poorly executed
- **What are the milestones - deliverables and dates?**
  - Validate Distributor splits (Promotion or via R\*Connect) - Complete
  - OOB, Inactive retailers and Equipment and Training documents - Complete
  - Communicate pending CB to Partners, Care Line and Disputes – WE 4/2/07
- **What is the next deliverable and when is it due?**
  - Conclude chargebacks week ending 5/18/07



## Compliance - TCPA

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- **Who is working on this initiative?**
  - Reji Musso
- **Why is this one of your initiatives?**
  - To minimize negative consumer impact caused by alleged TCPA violations
  - To be able to demonstrate to all legal entities that our compliance is ongoing
  - Minimize corporate financial risks and liabilities through notification and penalties
- **What are the milestones – deliverables and due dates?**
  - Process has been documented and updated 11/07
    - Mapping RS process from receipt into VI through letter/response/business decision 5/31/07
  - Develop and Update the RS TCPA tracker – New date TBD with new hire
  - Start managing Vendor Inquiries Box - Pending New Hire
  - Business rules submitted to legal for LGV and Affiliate Usage
- **What is the next deliverable and when is it due?**
  - Provide accurate reporting - Pending New Hire
  - Address all allegations within 48 hours of submission - Pending New Hire



## Compliance – Legal Disclosures

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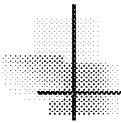
- **Who is working on this initiative?**
  - Reji Musso, Mike Mills and Legal
- **Why is this one of your initiatives?**
  - Comply with AG Settlement and AG Requirements – Provide pre-sale disclosures
  - Improve customer / consumer experience.
  - Provide feedback and build relationship with sales partners
- **What are the milestones – deliverables and dates?**
  - OE Monitoring
    - Meeting with VPs to establish guidelines for OE participation - Complete
    - Questionnaire for sales team re: monitoring option for OE partners (on hold)
    - FTP Upload program - In place (To be expanded / Changed as Needed)
      - Additions and Deletions to FTP sites as required - ongoing
    - Dial in program - In place (Cumbersome)
    - Onsite program – Update and modify QA form – Complete
  - FSDR Monitoring by 3/31/07
    - Meeting will be scheduled for end of May - Establish reporting guidelines, establish expectations for regular calibration reviews
  - CSC to finalize reporting and schedule meeting to define process for CO AG – Complete
  - PSD being drafted for managing process through Service Requests. 5/15/07



## Compliance Trademark / Misrepresentation

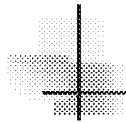
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- **Who is working on this initiative?**
  - Reji Musso
- **Why is this one of your initiatives?**
  - Eliminate Consumer Confusion
  - Insure accountability for DISH Network retailers
- **What are the milestones – deliverables and due dates?**
  - Engage field support to provide retailer training TBD
  - Identify trademark violations (Ongoing)
  - Draft of Notice letter has been provided to legal Current
  - Facts Blast (draft) to legal re: notification of yellow page renewals, domain changes and trademark misuse 3/21/07
- **What is the next deliverable and when is it due?**
  - Develop expectations and a process – TBD
  - Design a database - TBD
  - Provide accurate reporting (Ongoing)



# Former Top 10 Initiatives

Initiative	Why Removed
Secret Shopping	- Actively Look For Churn and OOB Retailers - Project has been implemented and ongoing
Team Summit – Exhibitor Approval	Proper mix of exhibitors will add to event



## Up Coming Top 10 Initiatives

Initiative	Expected Result
Use of Third Parties	Improve compliance and accountability with the Retailer Agreement; maintain database for acknowledgments (recording); maintain documented research on requests.

EXHIBIT 591

EXHIBIT 591

**INTENTIONALLY OMITTED**

JA011700  
010467

TX 102-010962

EXHIBIT 592

EXHIBIT 592

JA011701  
010468

TX 102-010963



Wayne Stenehjem  
ATTORNEY GENERAL

STATE OF NORTH DAKOTA  
**OFFICE OF ATTORNEY GENERAL**

STATE CAPITOL  
600 E BOULEVARD AVE DEPT 125  
BISMARCK, ND 58505-0040  
(701) 328-2210 FAX (701) 328-2226  
www.ag.state.nd.us

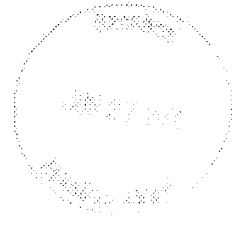
**CONSUMER PROTECTION**  
4205 STATE STREET, PO BOX 1054  
BISMARCK, ND 58502-1054  
(701) 328-3404 FAX (701) 328-5568  
1-800-472-2600 (Toll Free)

CPAT 070146.001

June 25, 2007

EchoStar Satellite, LLC  
dba Dish Network  
9601 S. Meridian Boulevard  
Englewood, CO 80112  
Attn: Denise L. Hargan

Dish Nation, LLC  
fka Dish Centric, LLC  
930 Mount Rose Way  
Golden, CO 80403  
Attn: Ruting Gaynor



**Re: State ex rel. Stenehjem v. Creative Concepts Group, Inc.**  
**Burleigh Co. Case No. 07-C-1307**

Dear Sir/Madam:

Enclosed for your information please find Order of Approval of Assurance of Voluntary Compliance with respect to the above-referenced matter.

At this time we have chosen not to pursue your business entity directly with respect to this matter; however, you are on notice that, going forward, this Office may choose to look to entities such as your own that may gain a financial benefit from marketing practices prohibited under North Dakota law.

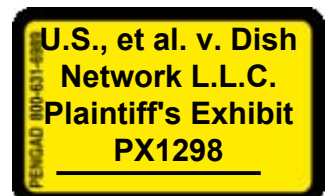
Nothing in this letter is intended to waive any rights or remedies available to consumers or the State of North Dakota.

Sincerely,

James Patrick Thomas  
Assistant Attorney General  
Consumer Protection & Antitrust Division

Enclosure

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**PX1298-001**

Confidential-US v. DISH

DISH5-0000007628  
TX 102-010964

COPY

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

STATE OF NORTH DAKOTA EX REL.  
WAYNE STENEHJEM,  
ATTORNEY GENERAL,

Petitioner,

-VS-

CREATIVE CONCEPTS GROUP, INC.,

Respondent.

Civil No. 07C1307

ORDER OF APPROVAL

CPAT 070146.001

Pursuant to the authority of this Court provided in N.D.C.C. § 51-15-06.1,

IT IS HEREBY ORDERED that the attached Assurance of Voluntary Compliance  
is approved as an assurance of discontinuance as specified in N.D.C.C. § 51-15-06.1.

The Clerk of Court shall receive and file this Assurance of Voluntary Compliance.

Dated this 21<sup>st</sup> day of June, 2007.

BY THE COURT:

/s/ Thomas Schneider  
Judge of the District Court

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RECEIVED & FILED  
JUN 21 2007  
Ck. of Cr. Burleigh Co.

PX1298-002

JA011703  
010470

Confidential-US v. DISH

DISH5-0000007629

TX 102-010965

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

IN DISTRICT COURT  
SOUTH CENTRAL JUDICIAL DISTRICT

STATE OF NORTH DAKOTA EX REL.  
WAYNE STENEHJEM,  
ATTORNEY GENERAL,

Petitioner,

-vs-

CREATIVE CONCEPTS GROUP, INC.;

Respondent.

Civil No. **07C1307**

**ASSURANCE OF  
VOLUNTARY COMPLIANCE**

CPAT 070146.001

To each person or entity identified below, hereinafter "Respondent":

Creative Concepts Group, Inc.  
Attn: Shawn E. Portela  
7946 S. Vincennes Way  
Centennial, CO 80112

WHEREAS Wayne Stenehjem, Attorney General of the State of North Dakota (hereinafter "Attorney General"), acts in the public interest pursuant to North Dakota Century Code ("N.D.C.C.") ch. 51-28 (commonly referred to as the "Do Not Call Law"); and

WHEREAS the Attorney General has determined that in the public interest an investigation should be conducted into the activities of Respondent to ascertain whether violations of ch. 51-28 have occurred; and

WHEREAS N.D.C.C. ch. 51-28 prohibits telephone solicitations to the telephone line of any subscriber in North Dakota who, for at least 31 days before the date the call is made, has been on the North Dakota or Federal Trade Commission do-not-call list; and

RECEIVED & FILED

JUN 1 2007

CLERK OF DISTRICT COURT

JA011704

010471

**PX1298-003**

WHEREAS N.D.C.C. ch. 51-28 prohibits certain calls using automatic dialing-announcing devices to telephone subscribers in North Dakota; and

WHEREAS the Attorney General has received consumer complaints and/or other information alleging Respondent engaged in telephone solicitations contrary to North Dakota law; and

WHEREAS as a result of this investigation the Attorney General alleges, among other things, Respondent has violated N.D.C.C. ch. 51-28; and

WHEREAS the parties desire to settle the alleged do-not-call law matter;

NOW THEREFORE it is hereby agreed:

1. This Assurance of Voluntary Compliance shall constitute the statutory assurance of discontinuance as provided in N.D.C.C. § 51-15-06.1. Respondent acknowledges *in personam* jurisdiction in North Dakota. Nothing in this Assurance of Voluntary Compliance is intended to waive any rights or private remedies available to consumers. See also N.D.C.C. § 51-15-09.

2. Respondent, its directors, officers, principals, employees, agents, contractors, servants and all other persons in active concert or participation with it, directly or indirectly, voluntarily agree to be and are permanently enjoined from making telephone calls prohibited under N.D.C.C. ch. 51-28.

3. Respondent agrees it will comply with this Assurance of Voluntary Compliance and further acknowledges and agrees any violations of this Assurance of Voluntary Compliance shall be punishable as contempt of court pursuant to N.D.C.C. ch. 27-10. Further, Respondent may be subject to all other civil penalties and sanctions provided by law, including attorney fees and costs with respect to past violations of

North Dakota law in addition to with respect to any new violations. Respondent agrees to pay a civil penalty of at least \$1,000 per violation for any violations of this Assurance of Voluntary Compliance, or any future violations of N.D.C.C. ch. 51-28; provided, however, the Attorney General shall not be precluded from seeking more than \$1,000 per violation, or any other remedies provided in N.D.C.C. chs. 51-15 or 51-28, or other North Dakota law. Respondent agrees that in the event violation of this Assurance of Voluntary Compliance, the Attorney General may pursue all claims and complaints – past, present and future – against Respondent as well as retain any payments already made.

If Respondent is adjudged in contempt of court for violations of this Assurance of Voluntary Compliance, adjudged in violation of this Assurance of Voluntary Compliance or adjudged in violation of N.D.C.C. ch. 51-28, said Respondent shall also be responsible for payment to the Attorney General for reasonable investigation costs, expenses and attorney fees.

4. Respondent shall make a payment to the Attorney General in the sum of \$2,000 dollars in lieu of civil penalties, investigation costs and attorney fees.

Payment shall be the form of a certified check or money order payable to **Office of Attorney General – North Dakota**, and delivered to:

Consumer Protection  
& Antitrust Division  
Office of Attorney General  
4205 State Street  
Bismarck, ND 58503-0623  
Attn: JPTThomas

to be received no later than the close of business **June 22, 2007**. Any payment not received by that time is deemed delinquent and a material violation of this Assurance of Voluntary Compliance.

5. In the event of a breach of this Assurance of Voluntary Compliance, the Attorney General may, without further notice to Respondent, make application to a State of North Dakota District Court to have the entire amount still owing under the Assurance of Voluntary Compliance entered as a formal judgment so it may be filed on the judgment roll and docketed pursuant to North Dakota law. See N.D.C.C. §§ 28-20-11, -12 and -13. Respondent agrees that an Affidavit of Non-Compliance of the Office of Attorney General shall be *prima facie* evidence of each violation of this Assurance of Voluntary Compliance.

6. Respondent represents the signer below is competent and fully authorized to act on behalf of Respondent. Respondent acknowledges it has been provided the opportunity to review this Assurance of Voluntary Compliance with an attorney, understands the implications and obligations imposed by it and has freely and willingly entered into this Assurance of Voluntary Compliance. Respondent further acknowledges and agrees this Assurance of Voluntary Compliance may be approved by and filed with the State of North Dakota District Court without any further notice or hearing. Signatures transmitted electronically or via facsimile by Respondent shall be deemed the equivalent of original signatures; this document may be executed in counterparts, with each counterpart deemed an original.

CREATIVE CONCEPTS GROUP, INC.  
(including all "doing business as" names, formal  
corporate names, fictitious names of any kind or any  
variations of the same)

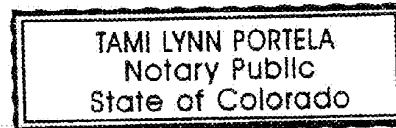
By: *[Signature]*  
SHAWN E. PORTELA  
(Print Name)

Its: PRESIDENT

STATE OF COLORADO )  
COUNTY OF Denver ) ss

Subscribed and sworn to before me this

19<sup>th</sup> day of June, 2007.



exp. 02/02/2010

*[Signature]*  
Notary Public

This Assurance of Voluntary Compliance is hereby received and accepted.

Dated this 20th day of June, 2007.

**STATE OF NORTH DAKOTA**

Wayne Stenehjem

Attorney General

By: 

James Patrick Thomas

ID No. 06014

Assistant Attorney General

Consumer Protection and

Antitrust Division

Office of Attorney General

4205 State Street

PO Box 1054

Bismarck, ND 58502-1054

(701) 328-5570

Attorneys for Petitioner

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EXHIBIT 593

EXHIBIT 593

JA011710  
010477

TX 102-010972

**From:** David Lindsey <dlindsey@defenderdirect.com>  
**Sent:** Wednesday, July 18, 2007 5:04 PM  
**To:** David Lindsey <dlindsey@defenderdirect.com>; Carlson, Erik <Erik.Carlson@echostar.com>  
**Cc:** Neylon, Brian <Brian.Neylon@echostar.com>; Marcia Raab <mraab@defenderdirect.com>; Pacini, Brian <Brian.Pacini@echostar.com>  
**Subject:** RE: DishNetwork winback sales

---

Below are some notes I sent back on 6-22 discussing next steps...

Dave Lindsey  
DEFENDER Direct, Inc.  
Authorized Dealer for ADT, GE and DISH  
317-253-5200 ext. 202  
fax: 317-536-0358  
[DLindsey@DEFENDERDirect.com](mailto:DLindsey@DEFENDERDirect.com)

*Best in the world at Customer Acquisition for Top Brand Name products and services that Target Homeowners.*

---

**From:** David Lindsey  
**Sent:** Friday, June 22, 2007 12:05 AM  
**To:** Carlson, Erik  
**Cc:** Neylon, Brian; Marcia Raab; DeFranco, Jim  
**Subject:** FW: DishNetwork winback sales

**What we know:**

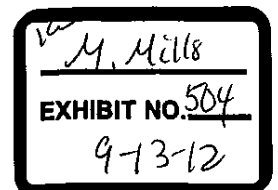
1. We have not done a test of exactly how things would work going forward. The No Call Scrub and the varying age of the leads would not be part of a long-term program.
2. The program was not a slam dunk of "anything will work". Much of the list was just too old. Many customers did not even remember inquiring.
3. We found in the call recordings that customers are not saying that got service elsewhere. While they did not buy from Dish, they are also not buying from anyone else.
4. We have staffed up for this and have resources ready to go asap.

**Next steps:**

1. We sign an agency agreement to allow us to call on your behalf. Means we don't have to scrub for No Call.
2. Fresher data. Of course the fresher the better. We'd like it next day, but no more than 1 week. We believe that if they are not called within 24 hours and then again at 72 hours that the leads even become weaker at one week. The "dialogue" must be maintained or they stop "thinking about it".

Marcia has provided more notes below that tell the story...

Dave Lindsey  
DEFENDER Direct, Inc.  
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"DEFENDER: Best in the world at New Customer Acquisition for top brand name products and services."

Dave,

Here's the analysis.

**We are generating 3% sales on each attempt for our leads. .17% on Dish Network.**

We are 3 times as likely to have an interested party on a Defender lead.

We are 2 times as likely to close a customer on a Defender lead.

We are 2 times more likely to have a wrong number from Dish.

3 times more likely to have a number that is not inservice from Dish.

.5% of our customers need a Spanish agent. 8% of Dish Network needs a Spanish agent. I will be better able to handle this in the next week or so.

Our customers are much more likely to ask us to stop calling them. This would be because we have made several attempts.

The rest of the benchmarks run fairly even. No contacts, current customer, not interested etc...This really speaks to the currency of the list.

We also found in the call analysis from recordings that customers are not saying that they already got service. While they did not buy from Dish, they are also not buying from anyone else.

Terrance did the SWOT analysis you will see outlined below. He listened to calls we were processing on this project and then made test calls to Dish Network. The main thing we need to correct is the handling by the sales rep.

Here's what we need from Dish:

This test fails for 2 reasons.

1. We are calling a scrubbed list so it is not a fair comparison to our current business process. Customers are \$ challenged and we have a very high percentage of non English speaking. I think the data became older as they scrubbed it. In order to find 10K non DNC they had to go pretty far back on the calendar.
2. The data is too old. Customers often don't even remember calling. A third reason would be inaccurate data but it is less of an issue than the first 2.

We need to sign a letter of agency, get a fresh list and call these customers in the same way we call our own winback.

Thanks

Marcia

\* Confidentiality: Email recipient will maintain in confidence all material and information contained in this email as Confidential Information disclosed by Defender Security to the recipient. Email recipient is not to share or forward any information or material contained in this email to any party without written consent and approval of Defender Security Co.

EXHIBIT 594

EXHIBIT 594

JA011713  
010480

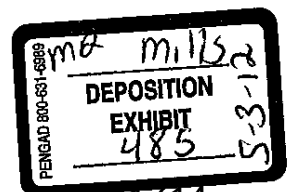
TX 102-010975



## Gross Sales Update

August 6, 2007

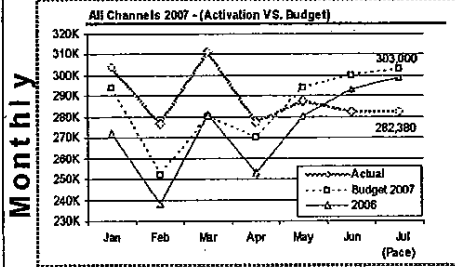
U.S., et al. v. Dish  
Network L.L.C.  
Plaintiff's Exhibit  
PX0099



JA011714 1  
010481  
DISH5-0000107208

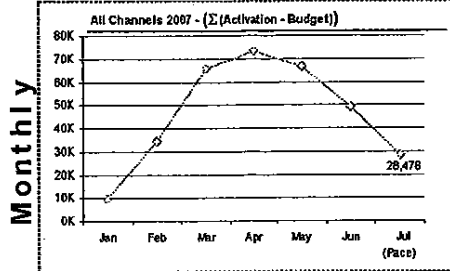
## Gross Activations Summary Y-T-D

**Chart 1: Gross Activations**

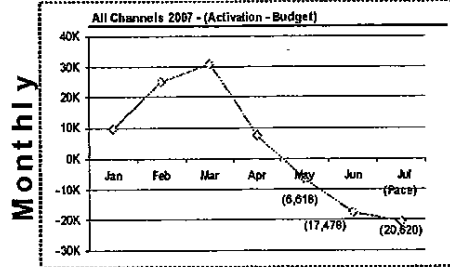


- July will come in under budget by ~20,000
- Y-T-D Gross activations are ~28,400 above budget

**Chart 2: Cume Activation Δ**



**Chart 3: Gross Activation Δ**

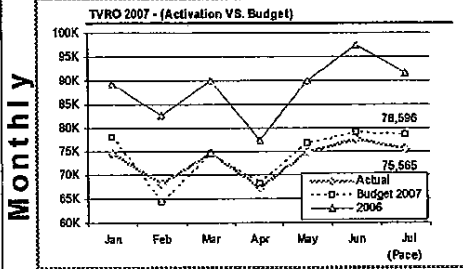


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JA011715  
010482  
DISH5-0000107209

# TVRO Channel Detail - Y-T-D

Chart 1: Gross Activations



- July will come in under budget by ~ 3,000
- Y-T-D Gross activations are ~6,380 less than budget

Chart 2: Cume Activation Δ

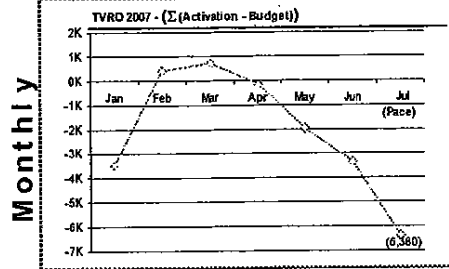
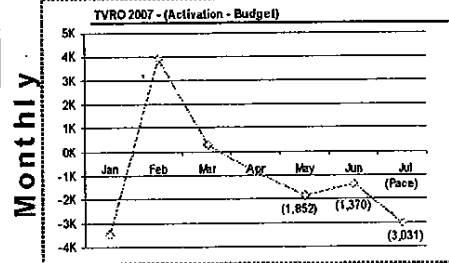


Chart 3: Gross Activation Δ

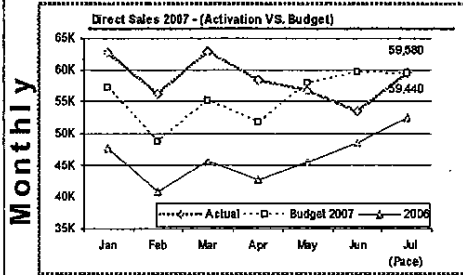


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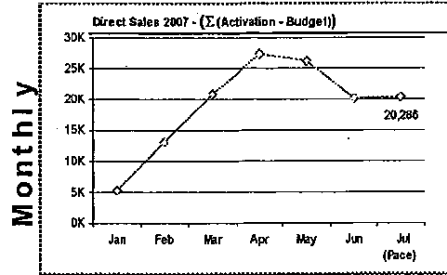
## Direct Sales Channel Detail - Y-T-D

**Chart 1: Gross Activations**

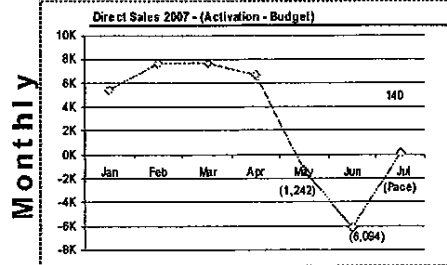


- July will come in at budget
- Y-T-D Gross activations are ~20,000 more than budget

**Chart 2: Cume Activation Δ**



**Chart 3: Gross Activation Δ**



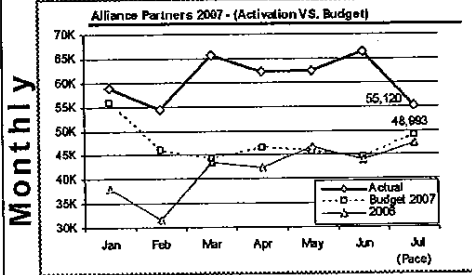
**ECHOSTAR**

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JA011717  
010484  
DISH5-0000107211

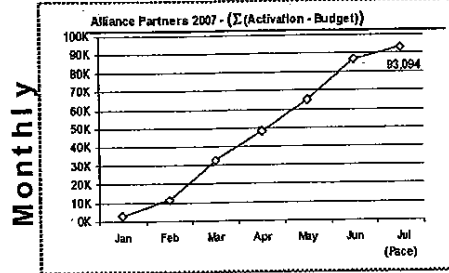
## Alliance Partners Channel Detail - Y-T-D

**Chart 1: Gross Activations**

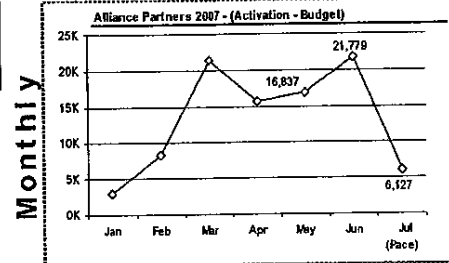


- July will come in over budget by ~6,000
- Y-T-D Gross activations are ~ 93,000 more than budget

**Chart 2: Cume Activation Δ**



**Chart 3: Gross Activation Δ**



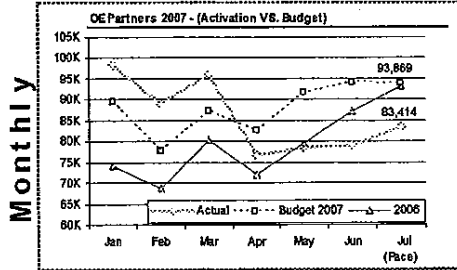
**ECHOSTAR**

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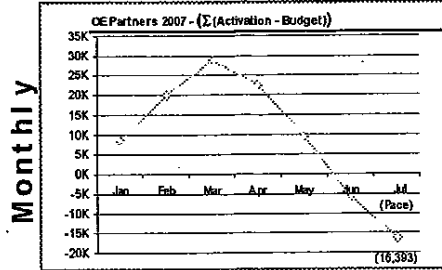
5

## OE Channel Detail - Y-T-D

**Chart 1: Gross Activations**

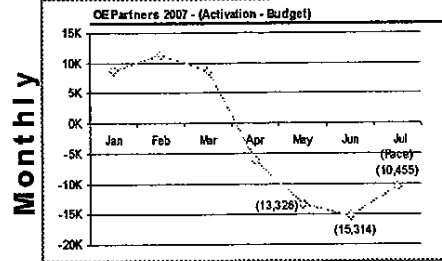


**Chart 2: Cume Activation Δ**



- July will come in under budget by ~10,000
- Y-T-D Gross activations are ~16,000 less than budget
- Activations were down ~18% Q2 vs Q1 (~50K)

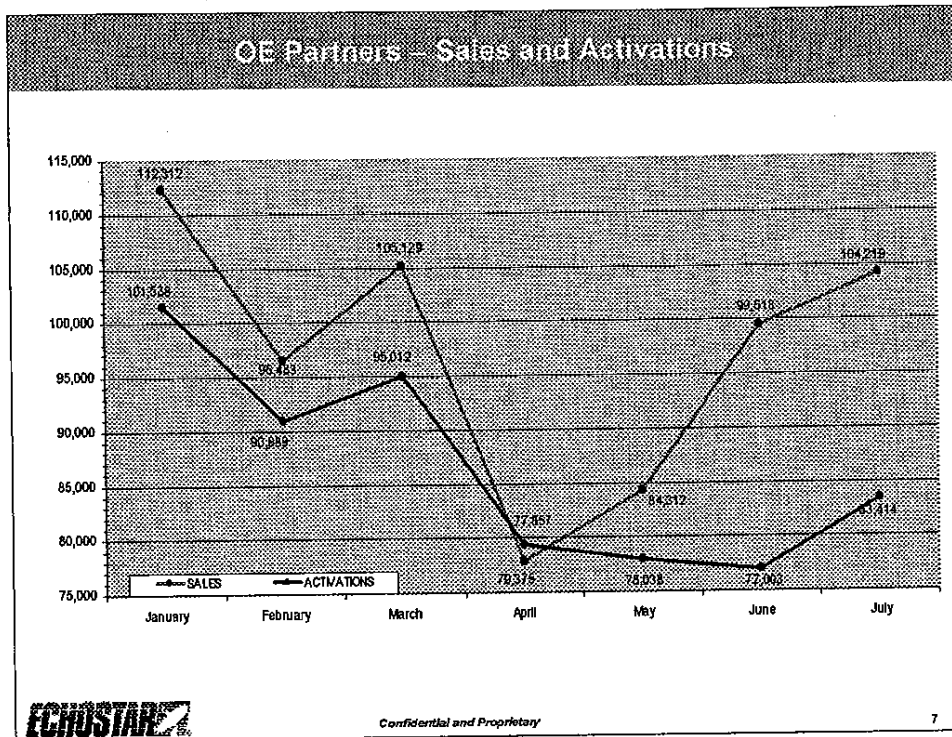
**Chart 3: Gross Activation Δ**



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- Sales to Activation Delta
- Completion rate
- Cancellation rate
- MDU%



## OE Channel – Summary of 2007 Events

OE Channel	YTD 7/31	8/1 - 12/31
Compliance – 4 Terminations	(32,125)	(33,690)
New 2007 Distribution Signed	52,999	31,667
New 2007 Distribution - Planned		43,333
Existing Retailers - Growth	47,000	
Existing Retailers - Decline	(90,000)	TBD
<b>Total</b>	<b>(22,126)</b>	<b>41,310</b>

•Recently solidified partnership with Elephant Group (Marketing Guru).  
Estimate this may have a 20K incremental impact over current run rate for August through December gross activity.

•Defender's run rate is currently 5k lower than we anticipate moving forward. Large mail drops starting 8/15 will get Defender back on track.  
We estimate an incremental 20K over current run rate through end of year

**ECHOSTAR**

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## Risks/Recommendations

### Risks:

- **8/15 Promotional Change**
  - Media Plan – lack of national coverage in current plan
  - Retailer feedback in concerning regarding removing the 19.99 message and emphasizing HD.
- **International Migrations**
  - 3x Forecast will put pressure on TVRO sales and may impact completion rates

### Recommendations:

1. **Re-instate the current DDA Incentive at AT 200 or higher through 1/31/07**
  - Estimated cost is 5.1m through the end of the year.
2. **Implement a \$50.00 Incremental Incentive in September for Key OE partners that can drive the market**
  - Estimated Cost = \$275K w/15% increase (~5,700 activations)



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## Appendix

August 6, 2007

### Additional Tactics

- Sales will support over 500 "selling events" 8/15 to 12/31
- Sales has 68 Regional Development Forums scheduled from 8/15 to 9/30.
- We will touch and develop an incremental activity plan with our top 500 TVRO account in the first half of August



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## OE Channel 2007 Impacts

- **Compliance**

- Per legal, Do Not Call and Disclosure Complaints down 75%
- Terminations
  - JSR Enterprises – DNC Violations
    - 2006 Activations – 6,262
    - 2007 Activations – 4,016
  - United Satellite – DNC Violations
    - 2006 Activations – 26,667
    - 2007 Activations – 0
  - Brandon Adams – Fraud
    - 2006 Activations – 2,997
    - 2007 Activations – 2,114
  - American Satellite – DNC and Disclosure
    - 2006 Activations – 47,950
    - 2007 Activations – 11,400

- **Result in loss of 84,000 Activations in 2007**



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## OE Channel 2007 Impacts

- **New Selling OE Retailers**

- Atoll – 23,227 activation YTD
- DISH Installations (BCK) – 10,090 activations YTD
- Cactus Concepts – 1,885 activations YTD
- Metro 25 – 1,380 activation YTD
- Aloha Communications – 766 activations YTD
- Liberty Bell Telecom – 752 activations YTD

- **2007 Impact 38,000 activation YTD – 76,000 2007 pace**



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## OE Channel 2007 Impacts

- **Remaining New OE Retailers to Launch**

- S2G – 13,500 2007 Activations
- Prime Choice Satellite – 21,000 2007 Activations
- Dish North America (DTV Retailer – Satex) – 4,250 2007 Activations
- Comscape (DTV Retailer) – 1,500 2007 Activations
- DISH Zero – 2,000 2007 Activations
- Bgravvia Capital – 3,600 2007 Activations
- American Wireless (Distributor) – 2,000 Activations
- RS&I (Distributor) – 2,500 Activations
- Prime One Satellite (DTV Retailer) – 1,500 Activations

- **2007 Impact Projection – 52,000 Activations**



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## OE Channel 2007 Impacts

- **Exclusive Agreements – 2007 Impact – Currently 90k down from same period in 2006**
  - Marketing Guru (down 80k for same time period in 2006 – 160k vs. 80k)
    - Business down 50%
    - New exclusive agreement will allow for 42k additional activations
  - Defender Security (down 10k for same time period)
    - Business down 20%
    - New exclusive agreement will allow for 10k additional activations
- **2007 Successes (additional activations – 47,000)**
  - GoDish – Up 80% over same time period 2006 (47k vs. 26k)
  - E\*Management – Up 200% over same time period 2006 (30k vs. 15k)
  - Altitude Marketing – Up 240% over same time period 2006 (19k vs. 8k)
- **OE Tool Stability in Q1 impacted sales and confidence in launching large scale marketing campaigns**
- **DNS – Decrease in completion % and increase in days out to completion**

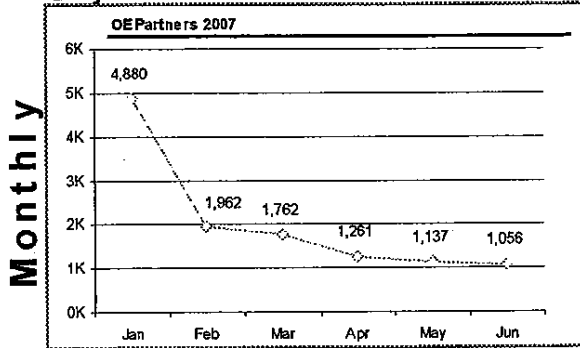


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## OE Channel 2007 Impacts

### Buyer's Remorse



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EXHIBIT 595

EXHIBIT 595

JA011730  
010497

TX 102-010992

**From:** Musso, Reji <Reji.Musso@echostar.com>  
**Sent:** Friday, August 17, 2007 4:04 PM  
**To:** Origer, Robb <Robb.Origer@echostar.com>; Neylon, Brian  
<Brian.Neylon@echostar.com>  
**Subject:** RE: Retailers-PossibleNow  
**Attach:** FTC Report Final\_1800 plus.xls

---

That was the guideline that David established a while back.

This was what we furnished to Legal re: 150/month

Reji Musso  
Compliance Manager  
Retail Services  
303.723.3262 (tel)  
720.514.8288 (fax)

---

**From:** Origer, Robb  
**Sent:** Friday, August 17, 2007 1:59 PM  
**To:** Musso, Reji; Neylon, Brian  
**Subject:** RE: Retailers-PossibleNow

Did we say those that sell more than 150/month – from that population we will know who uses OTM

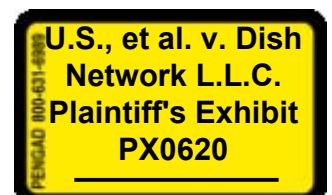
---

**From:** Musso, Reji  
**Sent:** Friday, August 17, 2007 1:56 PM  
**To:** Origer, Robb; Neylon, Brian  
**Subject:** Retailers-PossibleNow

How will we handle TVRO retailers who do 3<sup>rd</sup> party o/b telemarketing? There must be some, but I'm not sure they have identified themselves.

*Reji J. Musso (Ms)*

Compliance Manager  
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JA011731  
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