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12 *Nominal Defendant DISH Network Corp.*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 **PLUMBERS LOCAL UNION NO. 519 PENSION**
16 **TRUST FUND and CITY OF STERLING**
17 **HEIGHTS POLICE AND FIRE RETIREMENT**
18 **SYSTEM, derivatively on behalf of nominal**
19 **defendant DISH NETWORK CORP.,**

20 Plaintiffs,

21 v.

22 **CHARLES W. ERGEN; JAMES DEFRANCO;**
23 **CANTEY M. ERGEN; STEVEN R.**
24 **GOODBARN; DAVID MOSKOWITZ; TOM A.**
25 **ORTOLF; CARL E. VOGEL; GEORGE R.**
26 **BROKAW; JOSEPH P. CLAYTON; and GARY**
27 **S. HOWARD,**

28 Defendants,

DISH NETWORK CORP., a Nevada Corp.,

Nominal Defendant

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

**VOLUME 47 OF APPENDIX TO
THE REPORT OF THE SPECIAL
LITIGATION COMMITTEE OF
DISH NETWORK CORPORATION**

<u>Ex.</u>	<u>Date</u>	<u>Description</u>	<u>Page No.</u>
688	04/16/2007	Facts Blast	12735
689	05/24/2007	Retailer Services Retailer Compliance Form	12752
690	12/17/2007	EchoStar Script presented at Retail Training and Communications (December 17, 2007)	12885
691	10/10/2008	Important Notice: PossibleNow Grace Period Ended September 30, 2008!	12941
692	02/01/2009	2/1/09 Outbound Sales Script	12943

DATED this 28th day of November 2018.

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of November 2018, a true and correct copy of the foregoing **VOLUME 47 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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By: /s/ Valerie Larsen
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EXHIBIT 688

EXHIBIT 688

April 16, 2007

Dear DISH Network Retailer,

They're here! Just in time for baseball season, High-Definition Regional Sports Networks (RSNs) from DISH Network are now available to qualifying subscribers in areas around the country! And here's more good news about sports programming – we have launched the Mid-Atlantic Sports Network – a digital standard-definition RSN now also available on DISH Network. Since Team Summit is just a few short weeks away, there are a few last-minute announcements to tell you about, including an opportunity to participate in a Retailer Roundtable and new Onsite Workshops. Please keep reading for more details.

2007 Team Summit – Dallas, Texas – May 3, 2007, through May 6, 2007

- **Lone Star Park – Friday Evening Excursion** – We are happy to announce that Team Summit's Friday night excursion will be held at the beautiful *Lone Star Park*, a world-class horse track. While at Lone Star Park, you will have the opportunity to eat, drink and listen to live music, not to mention the opportunity to enjoy the pageantry of the horses and the colorful silks of the jockeys.
 - Buses will be available at scheduled times throughout the evening to shuttle Retailers to and from the Gaylord Texan and Lone Star Park racetrack. If you don't know how to place a bet and are interested, a video about the basics of horse racing will be playing on the shuttle buses.
 - At the track, an expansive area has been secured exclusively for Team Summit Retailers where a dinner buffet and bar will be offered.
 - Live horse races will take place every 27 minutes.
 - When the horses aren't racing, a local band will entertain you while you relax.
- **Retailer Roundtables – Opportunity at Team Summit** – We would like to give you the opportunity to be eligible to participate in one of three topic-specific "Retailer Roundtables" that will be conducted onsite at Team Summit. Selected Retailers will have the opportunity to meet with top executives and a small group of other Retailers in order to give us their feedback on issues such as DISH Network products, services, promotions, programming and Retailer support.
 - Each of the "Retailer Roundtables" will focus on one of the following general topic areas: Sales & Marketing, Retail Services and Engineering and Technology & Installation. Please keep in mind that space is very limited.
 - An email was sent from TeamSummit@EchoStar.com, to Retailers who have already registered for Team Summit. This e-mail will include a link that will take you to a survey – completion and submission of which by you is necessary in order to be considered eligible for selection to participate in a Retailer Roundtable. If you are interested in a Retailer Roundtable, please be sure to fill out the survey as soon as possible. Retailers will be notified if they are selected by EchoStar for participation.
- **New Retailer Pavilion** – New for this year, Retail Services and Retail Marketing will be located in one convenient area. Stop by and have your business administrative and marketing questions addressed. Highlights include:
 - **Event Van** – The newly wrapped DishHD/Team DISH All-Stars Regional Event Van will be onsite, so you will have an opportunity to check out its great features and find out how to book the van for a special event in your area.
 - **DishSTUFF** – Pick up a commemorative Team Summit item (quantities are limited!) and place your DishSTUFF product orders onsite. Remember, all qualifying DishSTUFF orders placed at Team Summit this year may be eligible for free ground shipping!
 - **Retail Services** – Representatives from Retail Services will be on hand to assist with questions and to help you to better understand DISH Network processes.
 - **DISH U** – Learn more about this brand-new online learning tool and get your DISH U account activated onsite!
 - **DishMarketingSolutions** – Demo the brand new DishMarketingSolutions web site, which includes DishADs 2.0, DishTARGETs and the all new DishDirectMail tools. Create ads, doorhangers and direct mail pieces using tools that allow Retailers to upload their own images and headlines.

April 16, 2007

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Page 1 of 8

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- **Team DISH All-Star Booth** – With the NASCAR Busch Series well underway, a visit to Team Summit wouldn't be complete without a visit to DISH Network's NASCAR booth.
 - **Here's what the DISH Network / NASCAR Booth will offer:**
 - On Saturday, May 5, 2007, Roush Fenway Racing / Team DISH All-Stars member Danny O'Quinn Jr. will be at the NASCAR booth signing autographs.
 - See a replica of the DISH Network Busch Series car and a ROUSHcharged 4.6L Ford Mustang.
 - We'll also be giving away "hero cards" for our Team DISH All-Star drivers, including Carl Edwards, Matt Kenseth, Jamie McMurray and Greg Biffle (while supplies last).
 - There will be a "Victory Lane Raffle" – Each day one lucky winner will be chosen on each day of team Summit to receive a piece of memorabilia signed by one of the Team DISH All-Stars.
 - Also, stop by and see the newly remodeled DISH Network NASCAR Experience (formerly known as the DISH Network HDTV Tour Truck) that will travel to selected races
 - You can also get your green-screen photo taken with the likeness of the Team DISH All-Star drivers and test your skills in realistic racing simulators.
 - **Another win for Team DISH All-Stars** – Carl Edwards won first place at the 300 Busch Series on Saturday, April 7, 2007, in Nashville, TN, driving car No. 60 DISH Network Ford Fusion.
 - Carl Edwards raced to his second consecutive NASCAR Busch Series victory, easily winning the Pepsi 300 this past weekend for Team DISH All-Stars! Carl led a race-high 74 laps, all in the second half of the event, to win for the 11th time in the Busch Series. He has won the last two Busch races at Nashville and also has won in the Craftsman Truck Series on the 1.3-mile concrete oval.
 - Carl was presented with a one-of-a-kind, custom-painted Gibson Guitar trophy given to Nashville race winners.
 - For more news and information about Team DISH All-Stars, please go to www.dishracing.tv today!
- **Customer Retention Booth at Team Summit** – By implementing certain "retention strategies" DISH Network Retailers may enhance their chances of keeping existing customers. To help demonstrate the benefits of these strategies, DISH Network's Customer Retention team will host a booth at Team Summit where Retailer attendees will have the opportunity to learn about available retention programs and have a bit of fun by participating in the "Money Machine" game, which shows the revenue potential that may be gained by focusing on retaining customers.
 - **The booth will have three sections concentrating on the following topic areas:**
 - **Customer Education and Customer On-Boarding** – Focusing on the sales, installation and follow-up process to drive customer satisfaction from day one.
 - **Credit Card AutoPay** – Remember that customers utilizing Credit Card AutoPay, for example those customers participating in DishDVR Advantage, typically disconnect less than customers who are not on Credit Card AutoPay. Lower churn may potentially result in fewer chargebacks and higher monthly incentives!
 - **Existing Customer Promotions** – Learn about the ways you may use existing consumer promotional offers to help retain your customers.
- **"Resource Ranch for your Employees" – New Exhibit this Year at Team Summit!** – Our Human Resource (HR) representatives will be available to answer your HR questions and hand out brochures, including recruiting how-to's, suggested job interview questions and other HR resources.
 - In addition, CareerBuilder.com, Sterling Testing Systems (employment and background screening services) and Furst Person (assists call centers in finding, hiring and retaining employees) will also be on hand to meet with you and answer questions.
 - Finally, the HR team will be running a special HR Best Practices contest for Retailers, so stop by their booth for all the contest details, grab a giveaway while supplies last and pick up some great HR tips.
- **Onsite Workshops – New this Year at Team Summit!** – There will be several special "Onsite Workshops" that will be conducted by experts on general industry topics of interest. For example, AT&T will be conducting an onsite workshop on DSL. There will be other classes and topics covered as well. You do not have to register for these special onsite workshops ahead of time on the Team Summit Registration site. Additional information will be available upon your arrival during onsite registration.

- **Team Summit Training Seminars** – If you are already registered for Team Summit and have registered for your training seminars, we would like to remind you to log back in to the registration site before your arrival to be sure you are taking those classes that best fit your needs.
 - If you have not already registered for your Team Summit training seminars, please consider doing so now. By registering for your classes through the online registration site ahead of time, you may be able to avoid long onsite registration lines. As space for many of our Team Summit training seminars is limited, online pre-registration may provide you with an opportunity to register for seminars before they become filled and closed to additional registrants.
 - Since you will need your Team Summit registration confirmation number to log back in to the registration site, you should have already received an email from registration@echo.com that will include this number for your convenience.
- **Submit Your “Simply Better” Ideas and Receive Recognition at Team Summit – Now through April 27, 2007**
 - You’ve heard us talk about the theme of this year’s Team Summit on the Retailer Chat, “Simply Better, Powered by DISH Network.” One critical element that helps make our business and Team Summit successful is YOU, our valued Retailers! Team Summit is not only an opportunity for you to learn from us, it’s the perfect opportunity for you to learn from one another.
 - In the spirit of this year’s theme, we would like to invite you to share some of YOUR best practices which make you “Simply Better” than your competition.
 - Have you developed materials that were well-received by your customers?
 - Do you have a special in-store display or storefront?
 - Have you developed personalized customer incentives, communication pieces, on-boarding programs, etc., that set you apart from your peers?
 - We will showcase selected “Simply Better” submissions throughout Team Summit so that everyone may learn and benefit from hearing how you drive business and retain customers.
 - Through April 27, 2007, please send photos and/or emails, including your Retailer name, your name and contact info (address, phone, email) to press@echostar.com outlining what’s worked well for you. Submitted photos must be 640x480 pixels or larger, have a resolution of at least 72 DPI and be accompanied by a 100-word or less description. Or, please send us an email without a photo describing your best practice in 300 words or less. Or, send both! Please be sure to attach a signed and completed copy of the Submission Release form, located on the Retailer Care Site→Info Center→Hot Topics→Simply Better Release Form, or fax the form to (303) 723-1046. Please see the Submission Release Form for additional information. Unfortunately, we are unable to review submissions unless they are accompanied by a completed and signed Submission Release Form.
- **Summary of Team Summit Retailer Benefits:**
 - Great entertainers and guest speakers.
 - Access to top executives and DISH Network employees, vendors, and programmers.
 - Opportunities to network with other Retailers from across the country.
 - Excellent training seminars.
 - World-class trade show.
 - \$250.00 Co-op accrual (limited to one \$250.00 co-op accrual per eligible participating Retailer).

Programming

High-Definition Regional Sports Networks

- **7 New HD Regional Sports Networks on DISH Network – Effective April 4, 2007** – Great news for DISH Network customers who are both sports enthusiasts and high-definition TV fans! 7 HD Regional Sports Networks (RSNs) have launched in select DMAs!
 - Subject to applicable terms and conditions, these RSN(s) will be available to customers who:
 - Reside in qualifying areas for each available RSN;
 - Subscribe to AT100 Plus or higher;
 - Subscribe to DishHD™; AND
 - Have all necessary equipment (including, but not limited to, a DISH Network MPEG-4/HD receiver).

- o Please keep in mind that while the digital standard-definition RSNs on DISH Network include 24/7 programming, the 7 HD RSNs launched on DISH Network will provide game-only content. When HD games are not available, the HD RSN channels are currently set to display a slate advising customers to check the channel frequently for games.
- o For more information, please refer to Important Notice – HD Regional Sports Networks Launched on DISH Network – 040507.

7 High-Definition Regional Sports Networks - Effective April 4, 2007

HD RSNs	Professional Sports Coverage	Channel	Orbital Location
Fox Sports Network Midwest	St. Louis Cardinals, St. Louis Blues	368	129°
Fox Sports Network Rocky Mountain	Colorado Rockies, Utah Jazz	364	129°
Fox Sports Network Southwest	Houston Astros, Texas Rangers, Houston Rockets, Dallas Mavericks, San Antonio Spurs, Dallas Stars	366	129°
Fox Sports Network Prime Ticket	Los Angeles Dodgers, Los Angeles Clippers, Anaheim Ducks	361	129°
Fox Sports Network Florida	Florida Marlins, Tampa Bay Devil Rays, Florida Panthers	373	61.5°
Fox Sports Network West	Los Angeles Angels of Anaheim, Los Angeles Lakers, Los Angeles Kings, Anaheim Ducks	367	129°
Fox Sports Network South	Atlanta Braves, Memphis Grizzlies, Atlanta Hawks, Carolina Hurricanes, Nashville Predators	370	129°

Digital Standard-Definition Regional Sports Networks

- **Mid-Atlantic Sports Network – Effective April 6, 2007 – Newest Regional Sports Network on DISH Network!**
 - o Mid-Atlantic Sports Network (MASN) is the first Regional Sports Network (RSN) in the mid-Atlantic area owned by two Major League Baseball franchises – the Washington Nationals and Baltimore Orioles.
 - MASN not only carries Major League Baseball with the Nationals and Orioles, but also is home to the Baltimore Ravens.
 - o MASN features in-game programming enhancements and special access to the teams and their players that only a team-owned RSN could provide.
 - o This RSN will be available at no additional cost to eligible customers that reside in the coverage area and who subscribe to qualifying programming packages AT100 Plus and higher, or DishLATINO Dos and higher.
 - o Customers who subscribe to the Multi-Sport Package may also be eligible to receive MASN as an addition to their existing subscription.
 - o MASN will be available on channel 432. An alternate feed, MASN2, will be available on channel 433 for select game coverage not offered on the primary MASN feed.

Mid-Atlantic Sports Network (MASN) - Effective April 6, 2007

Packages	Professional Sports Coverage	Channel	Orbital Location
AT100 Plus and higher	Washington Nationals, Baltimore Orioles, Baltimore Ravens	432	119°
DishLATINO Dos and higher		433	
Multi-Sport Package			

Digital Standard-Definition Programming

- **SportsTime Ohio – Regional Sports Network (RSN) – Now Offering Full-Time Programming Content – Effective April 1, 2007** – SportsTime Ohio is a Northern Ohio RSN providing extensive coverage of 130 regular-season Cleveland Indian games. Prior to April 1, 2007, it included game-only content. Now, SportsTime Ohio offers programming content 24-hours-a-day, 7-days-a-week!

- The additional programming caters to Ohio sports fans with year-round coverage of the Cleveland Indians, as well as programming that expands beyond baseball with coverage of the Cleveland Browns, Ohio State, Cleveland State, golf and outdoor programming.

SportsTime Ohio - Effective April 1, 2007			
Packages	Professional Sports Coverage	Channel	Orbital Location
AT100 Plus and higher DishLATINO Dos and higher Multi-Sport Package	Cleveland Indians, Cleveland Browns	431	110°

- **Hallmark Channel in AT200 and higher – Effective April 18, 2007** – Currently available only in DishFAMILY with AT250 and higher, Hallmark Channel will be rolled down to AT200 and higher, effective April 18, 2007.
 - Hallmark Channel, a leader in original movies, provides a diverse slate of high-quality, family-friendly entertainment, characterized by cinematic excellence and strong stories that are relevant to viewers and their lives.

Hallmark Channel – Effective April 18, 2007		
Package	Channel	Orbital Location
AT200 and higher DishFAMILY	185	110°

- **Hallmark Movie Channel to be available in both DishFAMILY AND AT250 – Effective April 18, 2007** – Currently available only in DishFAMILY, Hallmark Movie Channel will ALSO be available in AT250 and higher, effective April 18, 2007.
 - Hallmark Movie Channel is a 24-hour digital cable network dedicated to offering viewers a timeless collection of movies appropriate for audiences of all ages.

Hallmark Movie Channel – Effective April 18, 2007		
Package	Channel	Orbital Location
AT250 and higher DishFAMILY	187	110°

DishLATINO

- **New DishLATINO Q2 2007 Marketing Campaign Materials** – New Q2 materials, including tear pads, door hangers and brochures, will be available at Team Summit at the DishLATINO booth. Stop by to pick up some of these great tools.
 - At the DishLATINO Team Summit booth, you will also have the opportunity to learn how DISH Network's dedicated Spanish-language marketing tools can help you tap into the growing Hispanic market. At the booth, you will also have opportunities to:
 - Meet Latino programmers and get the latest news about Latino Programming updates.
 - Learn the latest Latino Customer Education and Retention initiatives and marketing tools.
 - Enjoy a Live Salsa dancing performance Thursday evening.
 - Meet a Latina Playmate on Friday and Saturday.
 - Learn how the DishNOW!/DishYA! pre-paid program can help grow your business.

DishINTERNATIONAL

- **Visit the International Pavilion at Team Summit!**

- Learn about language groups in your area and pick up tips on how to sell to untapped markets.
- Play "Country of Fortune" game.
- Get free giveaways.
- See entertainers from all parts of the world.

High-Speed Internet

- **New High-Speed Internet \$100 Back Offer – Reminder – Effective March 13, 2007, through May 31, 2007 –** Customers who want a great deal on both high-speed Internet AND video services need look no further! New and existing customers who subscribe to either qualifying DISH Network High-Speed Internet powered by WildBlue or qualifying DSL service through DISH Network DSL Sales, and a minimum qualifying programming package of AT100 or higher, DishLATINO or higher or Great Wall TV Package, may be eligible to participate in the new High-Speed Internet \$100 Back offer (up to 10 monthly credits of \$10.00 each).
 - Please note that, at this time, participation in the High-Speed Internet \$100 Back Offer does not require customer participation in a specific Promotional Program.
 - Qualifying *new* customers may also be eligible to participate in the \$100 Back offer and the \$100 HD Bonus offer.
 - Qualifying *existing* customers may be eligible to participate in the \$100 HD Bonus offer and/or the \$50 DISH'n It Up Bonus offer.
 - Please keep in mind that the same redemption form may be used for all of these offers. Participating subscribers must fully and correctly complete the redemption form and properly submit it along with a copy of their full DISH Network billing statement, if applicable. Participating subscribers who activate DSL must *also* include a copy of their first DSL billing statement received from their DSL provider.
 - Customers may download the redemption form from www.dishnetwork.com/100back. You may also download and print the form from the Retailer Care Site under Info Center → Hot Topics → DISH Network Mail-In Redemption Form. Please inform customers that it may take 8-10 weeks or more for credits to appear on their DISH Network billing statement.
- **New DISH Network DSL Sales – Upcoming Enhancement to the GetConnected Tool –** In order to help increase the number of customer DSL qualifications, we've enhanced the functionality of our DSL tool!
 - When you qualify customers for DSL services through DISH Network DSL Sales, instead of the phone number field automatically populating with the number the customer provided as their contact phone number for video services, this field will be empty.
 - The tool will "pause" allowing you the opportunity to provide a land-based phone number for the customer, since a cell phone number is not applicable for DSL sales.
 - New Process:
 - Step 1: After the end of the New Customer video sales flow, you will see a link for "DISH Network DSL Sales" on the Order Confirmation page.
 - Step 2: The system will automatically populate the customer's name and address, but the phone field will be blank. You must enter the customer's home land-based phone number, since a cell phone number or VoIP number will not work.
 - Step 3: After entering the customer's land-based phone number, select the "Search Now" button and the system will begin searching for DSL offers for the customer.
- **Advertising of Programming Prices**
 - It is important Your Retailer Agreement prohibits you from soliciting orders for DISH Network Programming at prices other than those established by EchoStar at Any Time in its Sole Discretion. Such solicitation(s) may constitute a breach of your Retailer Agreement and could, among other things, lead to the termination of your Retailer Agreement.

- **Telemarketing – Reminder**

- We would like to remind you of EchoStar's policy on telemarketing. Your Retailer Agreement prohibits you from violating any applicable laws, including without limitation in connection with the telemarketing of DISH Network products and services.
 - Authorized Retailers who engage in telemarketing should familiarize themselves with applicable federal, state, local and other laws, including without limitation state "No-Call" statutes and Telephone Consumer Protection Acts.
- Additionally, your Retailer Agreement provides that your relationship with EchoStar is that of an independent contractor. Retailers are not agents or employees of EchoStar and should not represent that they are agents or employees of EchoStar at any time and for any reason, including without limitation in connection with telemarketing activities.
 - For example, a statement by a phone solicitor that they are calling "on behalf of DISH Network" constitutes a breach of your Retailer Agreement and Trademark License Agreement.
- EchoStar takes telemarketing violations very seriously. We work with law enforcement officials at all levels to identify those in violation of this policy.
- Failure to comply with applicable laws could, among other things, lead to the termination of your Retailer Agreement, subject you to criminal and civil liability, and obligate you to defend and indemnify EchoStar in any civil or criminal lawsuit brought against EchoStar in connection with such activities.
- To report any such activities, please e-mail all pertinent information to vendoringquiries@echostar.com.

Tech News

- **New Technical Information Bulletin (TIB) - Incorrect Check Switch** – This new TIB could help you if you've installed a DP Plus Twin or DP Plus 1000.2 LNBF, you did NOT connect an LNBF to the LNB In port, AND you've noticed an odd or incorrect check switch that you've run while the receiver has Factory Software. When you look on the System Information screen, if the three digit software number starts with a zero (under 100), then you know you still have factory software and need to take a download to get production software.
 - To solve this issue, be sure to print a copy of this new TIB. Look for this TIB (Incorrect Check Switch) in Latest Technical Information Bulletins.
 - Our Technical Information Bulletins (TIBs) are located on the Retailer Care Site in the Info Center → Service, Hardware and Technology → Technical Information Bulletins.
- **New Updated "Replacement Remote Control Selection Guide"** – This guide lists the replacement remote option for DISH Network receivers, and even specifies which key is needed. It's posted on the Retailer Care Site in the Info Center → Service, Hardware and Technology → Remotes and Accessories → Remotes.
- **Receiver Activation Program (RAP) – Currently not available** – RAP functionality allows you to activate all the receivers on an account using only one of the receivers and without needing to speak to a Customer Service Representative. The software is being updated and we are planning to re-release the new version sometime in June 2007.

2008 Retailer Incentive Trip

- **The 2008 Retailer Incentive Trip is an Alaska Cruise with Silversea Cruises! – August 10-17, 2008** – Enter a world of relaxed elegance. A yacht-like setting where the service is warm and friendly, the cuisine is superb and all accommodations are ocean-view suites. It is an unprecedented standard of ultra-luxury.
 - Silversea Cruises has been an innovator in the "ultra-luxury" travel niche. With its sleek ships, spacious suites, refined cuisine, world-wide itineraries and exemplary service, Silversea continues to win the hearts of its sophisticated clientele and the accolades of the travel industry.
 - All-suites! – Every accommodation on every Silversea ship is a spacious ocean-view suite.
 - Private verandas! – 80% of "our" ship's suites feature private, teak-decked verandas.
 - Italian officers – European staff with an Old World "culture" of attentive service.
 - Exquisite cuisine – Menus include specialties of famed Relais & Châteaux.
 - All-inclusive services – Perhaps the most all-inclusive luxury line afloat!

- Exotic itineraries – Silversea's small ships visit smaller, more exotic ports. Where else in the world can you have the opportunity to cruise glassy waters among countless snow-capped mountains, see wildlife from giant whales and grizzly bears to soaring bald eagles and rivers full of salmon and watch glaciers hundreds of feet high crash into the water? Only in the pristine wilderness of Alaska.
- Full shipboard experience – Big-ship features with an intimate ambiance.
- Voyage will be exclusive to DISH Network – We have a complete buy-out of the ship!

Upcoming Shows

- **Retailer Chat** – Thursday, May 10, 2007, 12PM (Noon) ET on Channel 999.
- **Tech Forum** – Monday, May 14, 2007, 9PM ET on Channel 101.
- **Retailer Chat Replays** – On Channel 999, rotated with valuable training videos.

Thanks for Supporting DISH Network!

Erik Carlson

Senior Vice President – Sales/Retail Services

The foregoing (including, without limitation, brief description(s) of certain terms and conditions applicable to each of the Promotional Programs named in this Facts Blast) may be subject to applicable Business Rules and/or different terms and conditions of your Retailer Agreement with EchoStar Satellite L.L.C. ("EchoStar"). In the event of any conflict or inconsistency between the terms and conditions set forth in any applicable Business Rules posted on EchoStar's retailer website (the "Retailer Care Site") and the terms and conditions set forth above, the terms and conditions of such Business Rules posted on the Retailer Care Site shall be controlling.

With respect to hardware purchased by a Retailer from Echosphere L.L.C. ("Echosphere"), all equipment discounts and other Incentives shall be paid by EchoStar subject to and in accordance with the terms and conditions of each participating Retailer's Retailer Agreement and applicable Business Rules. With respect to hardware purchased by a Retailer from an Authorized Distributor, any and all equipment discounts and other Incentives shall be paid by the Authorized Distributor in accordance with and subject to the terms and conditions of your applicable agreement(s) with such Authorized Distributor. Notwithstanding anything set forth in this Facts Blast to the contrary, any and all references herein to equipment discounts and/or other Incentives shall apply solely and exclusively to Retailers who purchase their hardware from Echosphere. All capitalized terms set forth in this and the immediately prior paragraph shall have the meaning ascribed to them in your Retailer Agreement.

April 16, 2007

Dear DISH Network Retailer,

They're here! Just in time for baseball season, High-Definition Regional Sports Networks (RSNs) from DISH Network are now available to qualifying subscribers in areas around the country! And here's more good news about sports programming – we have launched the Mid-Atlantic Sports Network – a digital standard-definition RSN now also available on DISH Network. Since Team Summit is just a few short weeks away, there are a few last-minute announcements to tell you about, including an opportunity to participate in a Retailer Roundtable and new Onsite Workshops. Please keep reading for more details.

2007 Team Summit – Dallas, Texas – May 3, 2007, through May 6, 2007

- **Lone Star Park – Friday Evening Excursion** – We are happy to announce that Team Summit's Friday night excursion will be held at the beautiful *Lone Star Park*, a world-class horse track. While at Lone Star Park, you will have the opportunity to eat, drink and listen to live music, not to mention the opportunity to enjoy the pageantry of the horses and the colorful silks of the jockeys.
 - Buses will be available at scheduled times throughout the evening to shuttle Retailers to and from the Gaylord Texan and Lone Star Park racetrack. If you don't know how to place a bet and are interested, a video about the basics of horse racing will be playing on the shuttle buses.
 - At the track, an expansive area has been secured exclusively for Team Summit Retailers where a dinner buffet and bar will be offered.
 - Live horse races will take place every 27 minutes.
 - When the horses aren't racing, a local band will entertain you while you relax.
- **Retailer Roundtables – Opportunity at Team Summit** – We would like to give you the opportunity to be eligible to participate in one of three topic-specific "Retailer Roundtables" that will be conducted onsite at Team Summit. Selected Retailers will have the opportunity to meet with top executives and a small group of other Retailers in order to give us their feedback on issues such as DISH Network products, services, promotions, programming and Retailer support.
 - Each of the "Retailer Roundtables" will focus on one of the following general topic areas: Sales & Marketing, Retail Services and Engineering and Technology & Installation. Please keep in mind that space is very limited.
 - An email was sent from TeamSummit@EchoStar.com, to Retailers who have already registered for Team Summit. This e-mail will include a link that will take you to a survey – completion and submission of which by you is necessary in order to be considered eligible for selection to participate in a Retailer Roundtable. If you are interested in a Retailer Roundtable, please be sure to fill out the survey as soon as possible. Retailers will be notified if they are selected by EchoStar for participation.
- **New Retailer Pavilion** – New for this year, Retail Services and Retail Marketing will be located in one convenient area. Stop by and have your business administrative and marketing questions addressed. Highlights include:
 - **Event Van** – The newly wrapped DishHD/Team DISH All-Stars Regional Event Van will be onsite, so you will have an opportunity to check out its great features and find out how to book the van for a special event in your area.
 - **DishSTUFF** – Pick up a commemorative Team Summit item (quantities are limited!) and place your DishSTUFF product orders onsite. Remember, all qualifying DishSTUFF orders placed at Team Summit this year may be eligible for free ground shipping!
 - **Retail Services** – Representatives from Retail Services will be on hand to assist with questions and to help you to better understand DISH Network processes.
 - **DISH U** – Learn more about this brand-new online learning tool and get your DISH U account activated onsite!
 - **DishMarketingSolutions** – Demo the brand new DishMarketingSolutions web site, which includes DishADs 2.0, DishTARGETs and the all new DishDirectMail tools. Create ads, doorhangers and direct mail pieces using tools that allow Retailers to upload their own images and headlines.

April 16, 2007

Facts Blast 041607

Page 1 of 8

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- **Team DISH All-Star Booth** – With the NASCAR Busch Series well underway, a visit to Team Summit wouldn't be complete without a visit to DISH Network's NASCAR booth.
 - **Here's what the DISH Network / NASCAR Booth will offer:**
 - On Saturday, May 5, 2007, Roush Fenway Racing / Team DISH All-Stars member Danny O'Quinn Jr. will be at the NASCAR booth signing autographs.
 - See a replica of the DISH Network Busch Series car and a ROUSHcharged 4.6L Ford Mustang.
 - We'll also be giving away "hero cards" for our Team DISH All-Star drivers, including Carl Edwards, Matt Kenseth, Jamie McMurray and Greg Biffle (while supplies last).
 - There will be a "Victory Lane Raffle" – Each day one lucky winner will be chosen on each day of team Summit to receive a piece of memorabilia signed by one of the Team DISH All-Stars.
 - Also, stop by and see the newly remodeled DISH Network NASCAR Experience (formerly known as the DISH Network HDTV Tour Truck) that will travel to selected races
 - You can also get your green-screen photo taken with the likeness of the Team DISH All-Star drivers and test your skills in realistic racing simulators.
 - **Another win for Team DISH All-Stars** – Carl Edwards won first place at the 300 Busch Series on Saturday, April 7, 2007, in Nashville, TN, driving car No. 60 DISH Network Ford Fusion.
 - Carl Edwards raced to his second consecutive NASCAR Busch Series victory, easily winning the Pepsi 300 this past weekend for Team DISH All-Stars! Carl led a race-high 74 laps, all in the second half of the event, to win for the 11th time in the Busch Series. He has won the last two Busch races at Nashville and also has won in the Craftsman Truck Series on the 1.3-mile concrete oval.
 - Carl was presented with a one-of-a-kind, custom-painted Gibson Guitar trophy given to Nashville race winners.
 - For more news and information about Team DISH All-Stars, please go to www.dishracing.tv today!
- **Customer Retention Booth at Team Summit** – By implementing certain "retention strategies" DISH Network Retailers may enhance their chances of keeping existing customers. To help demonstrate the benefits of these strategies, DISH Network's Customer Retention team will host a booth at Team Summit where Retailer attendees will have the opportunity to learn about available retention programs and have a bit of fun by participating in the "Money Machine" game, which shows the revenue potential that may be gained by focusing on retaining customers.
 - **The booth will have three sections concentrating on the following topic areas:**
 - **Customer Education and Customer On-Boarding** – Focusing on the sales, installation and follow-up process to drive customer satisfaction from day one.
 - **Credit Card AutoPay** – Remember that customers utilizing Credit Card AutoPay, for example those customers participating in DishDVR Advantage, typically disconnect less than customers who are not on Credit Card AutoPay. Lower churn may potentially result in fewer chargebacks and higher monthly incentives!
 - **Existing Customer Promotions** – Learn about the ways you may use existing consumer promotional offers to help retain your customers.
- **"Resource Ranch for your Employees" – New Exhibit this Year at Team Summit!** – Our Human Resource (HR) representatives will be available to answer your HR questions and hand out brochures, including recruiting how-to's, suggested job interview questions and other HR resources.
 - In addition, CareerBuilder.com, Sterling Testing Systems (employment and background screening services) and Furst Person (assists call centers in finding, hiring and retaining employees) will also be on hand to meet with you and answer questions.
 - Finally, the HR team will be running a special HR Best Practices contest for Retailers, so stop by their booth for all the contest details, grab a giveaway while supplies last and pick up some great HR tips.
- **Onsite Workshops – New this Year at Team Summit!** – There will be several special "Onsite Workshops" that will be conducted by experts on general industry topics of interest. For example, AT&T will be conducting an onsite workshop on DSL. There will be other classes and topics covered as well. You do not have to register for these special onsite workshops ahead of time on the Team Summit Registration site. Additional information will be available upon your arrival during onsite registration.

- **Team Summit Training Seminars** – If you are already registered for Team Summit and have registered for your training seminars, we would like to remind you to log back in to the registration site before your arrival to be sure you are taking those classes that best fit your needs.
 - If you have not already registered for your Team Summit training seminars, please consider doing so now. By registering for your classes through the online registration site ahead of time, you may be able to avoid long onsite registration lines. As space for many of our Team Summit training seminars is limited, online pre-registration may provide you with an opportunity to register for seminars before they become filled and closed to additional registrants.
 - Since you will need your Team Summit registration confirmation number to log back in to the registration site, you should have already received an email from registration@echo.com that will include this number for your convenience.
- **Submit Your “Simply Better” Ideas and Receive Recognition at Team Summit – Now through April 27, 2007**
 - You’ve heard us talk about the theme of this year’s Team Summit on the Retailer Chat, “Simply Better, Powered by DISH Network.” One critical element that helps make our business and Team Summit successful is YOU, our valued Retailers! Team Summit is not only an opportunity for you to learn from us, it’s the perfect opportunity for you to learn from one another.
 - In the spirit of this year’s theme, we would like to invite you to share some of YOUR best practices which make you “Simply Better” than your competition.
 - Have you developed materials that were well-received by your customers?
 - Do you have a special in-store display or storefront?
 - Have you developed personalized customer incentives, communication pieces, on-boarding programs, etc., that set you apart from your peers?
 - We will showcase selected “Simply Better” submissions throughout Team Summit so that everyone may learn and benefit from hearing how you drive business and retain customers.
 - Through April 27, 2007, please send photos and/or emails, including your Retailer name, your name and contact info (address, phone, email) to press@echostar.com outlining what’s worked well for you. Submitted photos must be 640x480 pixels or larger, have a resolution of at least 72 DPI and be accompanied by a 100-word or less description. Or, please send us an email without a photo describing your best practice in 300 words or less. Or, send both! Please be sure to attach a signed and completed copy of the Submission Release form, located on the Retailer Care Site→Info Center→Hot Topics→Simply Better Release Form, or fax the form to (303) 723-1046. Please see the Submission Release Form for additional information. Unfortunately, we are unable to review submissions unless they are accompanied by a completed and signed Submission Release Form.
- **Summary of Team Summit Retailer Benefits:**
 - Great entertainers and guest speakers.
 - Access to top executives and DISH Network employees, vendors, and programmers.
 - Opportunities to network with other Retailers from across the country.
 - Excellent training seminars.
 - World-class trade show.
 - \$250.00 Co-op accrual (limited to one \$250.00 co-op accrual per eligible participating Retailer).

Programming

High-Definition Regional Sports Networks

- **7 New HD Regional Sports Networks on DISH Network – Effective April 4, 2007** – Great news for DISH Network customers who are both sports enthusiasts and high-definition TV fans! 7 HD Regional Sports Networks (RSNs) have launched in select DMAs!
 - Subject to applicable terms and conditions, these RSN(s) will be available to customers who:
 - Reside in qualifying areas for each available RSN;
 - Subscribe to AT100 Plus or higher;
 - Subscribe to DishHD™; AND
 - Have all necessary equipment (including, but not limited to, a DISH Network MPEG-4/HD receiver).

- Please keep in mind that while the digital standard-definition RSNs on DISH Network include 24/7 programming, the 7 HD RSNs launched on DISH Network will provide game-only content. When HD games are not available, the HD RSN channels are currently set to display a slate advising customers to check the channel frequently for games.
- For more information, please refer to Important Notice – HD Regional Sports Networks Launched on DISH Network – 040507.

7 High-Definition Regional Sports Networks - Effective April 4, 2007

HD RSNs	Professional Sports Coverage	Channel	Orbital Location
Fox Sports Network Midwest	St. Louis Cardinals, St. Louis Blues	368	129°
Fox Sports Network Rocky Mountain	Colorado Rockies, Utah Jazz	364	129°
Fox Sports Network Southwest	Houston Astros, Texas Rangers, Houston Rockets, Dallas Mavericks, San Antonio Spurs, Dallas Stars	366	129°
Fox Sports Network Prime Ticket	Los Angeles Dodgers, Los Angeles Clippers, Anaheim Ducks	361	129°
Fox Sports Network Florida	Florida Marlins, Tampa Bay Devil Rays, Florida Panthers	373	61.5°
Fox Sports Network West	Los Angeles Angels of Anaheim, Los Angeles Lakers, Los Angeles Kings, Anaheim Ducks	367	129°
Fox Sports Network South	Atlanta Braves, Memphis Grizzlies, Atlanta Hawks, Carolina Hurricanes, Nashville Predators	370	129°

Digital Standard-Definition Regional Sports Networks

- **Mid-Atlantic Sports Network – Effective April 6, 2007 – Newest Regional Sports Network on DISH Network!**
 - Mid-Atlantic Sports Network (MASN) is the first Regional Sports Network (RSN) in the mid-Atlantic area owned by two Major League Baseball franchises – the Washington Nationals and Baltimore Orioles.
 - MASN not only carries Major League Baseball with the Nationals and Orioles, but also is home to the Baltimore Ravens.
 - MASN features in-game programming enhancements and special access to the teams and their players that only a team-owned RSN could provide.
 - This RSN will be available at no additional cost to eligible customers that reside in the coverage area and who subscribe to qualifying programming packages AT100 Plus and higher, or DishLATINO Dos and higher.
 - Customers who subscribe to the Multi-Sport Package may also be eligible to receive MASN as an addition to their existing subscription.
 - MASN will be available on channel 432. An alternate feed, MASN2, will be available on channel 433 for select game coverage not offered on the primary MASN feed.

Mid-Atlantic Sports Network (MASN) - Effective April 6, 2007

Packages	Professional Sports Coverage	Channel	Orbital Location
AT100 Plus and higher	Washington Nationals, Baltimore Orioles, Baltimore Ravens	432	119°
DishLATINO Dos and higher		433	
Multi-Sport Package			

Digital Standard-Definition Programming

- **SportsTime Ohio – Regional Sports Network (RSN) – Now Offering Full-Time Programming Content – Effective April 1, 2007** – SportsTime Ohio is a Northern Ohio RSN providing extensive coverage of 130 regular-season Cleveland Indian games. Prior to April 1, 2007, it included game-only content. Now, SportsTime Ohio offers programming content 24-hours-a-day, 7-days-a-week!

- The additional programming caters to Ohio sports fans with year-round coverage of the Cleveland Indians, as well as programming that expands beyond baseball with coverage of the Cleveland Browns, Ohio State, Cleveland State, golf and outdoor programming.

SportsTime Ohio - Effective April 1, 2007			
Packages	Professional Sports Coverage	Channel	Orbital Location
AT100 Plus and higher DishLATINO Dos and higher Multi-Sport Package	Cleveland Indians, Cleveland Browns	431	110°

- **Hallmark Channel in AT200 and higher – Effective April 18, 2007** – Currently available only in DishFAMILY with AT250 and higher, Hallmark Channel will be rolled down to AT200 and higher, effective April 18, 2007.
 - Hallmark Channel, a leader in original movies, provides a diverse slate of high-quality, family-friendly entertainment, characterized by cinematic excellence and strong stories that are relevant to viewers and their lives.

Hallmark Channel – Effective April 18, 2007		
Package	Channel	Orbital Location
AT200 and higher DishFAMILY	185	110°

- **Hallmark Movie Channel to be available in both DishFAMILY AND AT250 – Effective April 18, 2007** – Currently available only in DishFAMILY, Hallmark Movie Channel will ALSO be available in AT250 and higher, effective April 18, 2007.
 - Hallmark Movie Channel is a 24-hour digital cable network dedicated to offering viewers a timeless collection of movies appropriate for audiences of all ages.

Hallmark Movie Channel – Effective April 18, 2007		
Package	Channel	Orbital Location
AT250 and higher DishFAMILY	187	110°

DishLATINO

- **New DishLATINO Q2 2007 Marketing Campaign Materials** – New Q2 materials, including tear pads, door hangers and brochures, will be available at Team Summit at the DishLATINO booth. Stop by to pick up some of these great tools.
 - At the DishLATINO Team Summit booth, you will also have the opportunity to learn how DISH Network's dedicated Spanish-language marketing tools can help you tap into the growing Hispanic market. At the booth, you will also have opportunities to:
 - Meet Latino programmers and get the latest news about Latino Programming updates.
 - Learn the latest Latino Customer Education and Retention initiatives and marketing tools.
 - Enjoy a Live Salsa dancing performance Thursday evening.
 - Meet a Latina Playmate on Friday and Saturday.
 - Learn how the DishNOW!/DishYA! pre-paid program can help grow your business.

DishINTERNATIONAL

- **Visit the International Pavilion at Team Summit!**

- Learn about language groups in your area and pick up tips on how to sell to untapped markets.
- Play "Country of Fortune" game.
- Get free giveaways.
- See entertainers from all parts of the world.

High-Speed Internet

- **New High-Speed Internet \$100 Back Offer – Reminder – Effective March 13, 2007, through May 31, 2007 –** Customers who want a great deal on both high-speed Internet AND video services need look no further! New and existing customers who subscribe to either qualifying DISH Network High-Speed Internet powered by WildBlue or qualifying DSL service through DISH Network DSL Sales, and a minimum qualifying programming package of AT100 or higher, DishLATINO or higher or Great Wall TV Package, may be eligible to participate in the new High-Speed Internet \$100 Back offer (up to 10 monthly credits of \$10.00 each).
 - Please note that, at this time, participation in the High-Speed Internet \$100 Back Offer does not require customer participation in a specific Promotional Program.
 - Qualifying *new* customers may also be eligible to participate in the \$100 Back offer and the \$100 HD Bonus offer.
 - Qualifying *existing* customers may be eligible to participate in the \$100 HD Bonus offer and/or the \$50 DISH'n It Up Bonus offer.
 - Please keep in mind that the same redemption form may be used for all of these offers. Participating subscribers must fully and correctly complete the redemption form and properly submit it along with a copy of their full DISH Network billing statement, if applicable. Participating subscribers who activate DSL must *also* include a copy of their first DSL billing statement received from their DSL provider.
 - Customers may download the redemption form from www.dishnetwork.com/100back. You may also download and print the form from the Retailer Care Site under Info Center → Hot Topics → DISH Network Mail-In Redemption Form. Please inform customers that it may take 8-10 weeks or more for credits to appear on their DISH Network billing statement.
- **New DISH Network DSL Sales – Upcoming Enhancement to the GetConnected Tool –** In order to help increase the number of customer DSL qualifications, we've enhanced the functionality of our DSL tool!
 - When you qualify customers for DSL services through DISH Network DSL Sales, instead of the phone number field automatically populating with the number the customer provided as their contact phone number for video services, this field will be empty.
 - The tool will "pause" allowing you the opportunity to provide a land-based phone number for the customer, since a cell phone number is not applicable for DSL sales.
 - New Process:
 - Step 1: After the end of the New Customer video sales flow, you will see a link for "DISH Network DSL Sales" on the Order Confirmation page.
 - Step 2: The system will automatically populate the customer's name and address, but the phone field will be blank. You must enter the customer's home land-based phone number, since a cell phone number or VoIP number will not work.
 - Step 3: After entering the customer's land-based phone number, select the "Search Now" button and the system will begin searching for DSL offers for the customer.
- **Advertising of Programming Prices**
 - It is important Your Retailer Agreement prohibits you from soliciting orders for DISH Network Programming at prices other than those established by EchoStar at Any Time in its Sole Discretion. Such solicitation(s) may constitute a breach of your Retailer Agreement and could, among other things, lead to the termination of your Retailer Agreement.

- **Telemarketing – Reminder**

- We would like to remind you of EchoStar's policy on telemarketing. Your Retailer Agreement prohibits you from violating any applicable laws, including without limitation in connection with the telemarketing of DISH Network products and services.
 - Authorized Retailers who engage in telemarketing should familiarize themselves with applicable federal, state, local and other laws, including without limitation state "No-Call" statutes and Telephone Consumer Protection Acts.
- Additionally, your Retailer Agreement provides that your relationship with EchoStar is that of an independent contractor. Retailers are not agents or employees of EchoStar and should not represent that they are agents or employees of EchoStar at any time and for any reason, including without limitation in connection with telemarketing activities.
 - For example, a statement by a phone solicitor that they are calling "on behalf of DISH Network" constitutes a breach of your Retailer Agreement and Trademark License Agreement.
- EchoStar takes telemarketing violations very seriously. We work with law enforcement officials at all levels to identify those in violation of this policy.
- Failure to comply with applicable laws could, among other things, lead to the termination of your Retailer Agreement, subject you to criminal and civil liability, and obligate you to defend and indemnify EchoStar in any civil or criminal lawsuit brought against EchoStar in connection with such activities.
- To report any such activities, please e-mail all pertinent information to vendoringquiries@echostar.com.

Tech News

- **New Technical Information Bulletin (TIB) - Incorrect Check Switch** – This new TIB could help you if you've installed a DP Plus Twin or DP Plus 1000.2 LNBF, you did NOT connect an LNBF to the LNB In port, AND you've noticed an odd or incorrect check switch that you've run while the receiver has Factory Software. When you look on the System Information screen, if the three digit software number starts with a zero (under 100), then you know you still have factory software and need to take a download to get production software.
 - To solve this issue, be sure to print a copy of this new TIB. Look for this TIB (Incorrect Check Switch) in Latest Technical Information Bulletins.
 - Our Technical Information Bulletins (TIBs) are located on the Retailer Care Site in the Info Center → Service, Hardware and Technology → Technical Information Bulletins.
- **New Updated "Replacement Remote Control Selection Guide"** – This guide lists the replacement remote option for DISH Network receivers, and even specifies which key is needed. It's posted on the Retailer Care Site in the Info Center → Service, Hardware and Technology → Remotes and Accessories → Remotes.
- **Receiver Activation Program (RAP) – Currently not available** – RAP functionality allows you to activate all the receivers on an account using only one of the receivers and without needing to speak to a Customer Service Representative. The software is being updated and we are planning to re-release the new version sometime in June 2007.

2008 Retailer Incentive Trip

- **The 2008 Retailer Incentive Trip is an Alaska Cruise with Silversea Cruises! – August 10-17, 2008** – Enter a world of relaxed elegance. A yacht-like setting where the service is warm and friendly, the cuisine is superb and all accommodations are ocean-view suites. It is an unprecedented standard of ultra-luxury.
 - Silversea Cruises has been an innovator in the "ultra-luxury" travel niche. With its sleek ships, spacious suites, refined cuisine, world-wide itineraries and exemplary service, Silversea continues to win the hearts of its sophisticated clientele and the accolades of the travel industry.
 - All-suites! – Every accommodation on every Silversea ship is a spacious ocean-view suite.
 - Private verandas! – 80% of "our" ship's suites feature private, teak-decked verandas.
 - Italian officers – European staff with an Old World "culture" of attentive service.
 - Exquisite cuisine – Menus include specialties of famed Relais & Châteaux.
 - All-inclusive services – Perhaps the most all-inclusive luxury line afloat!

- Exotic itineraries – Silversea's small ships visit smaller, more exotic ports. Where else in the world can you have the opportunity to cruise glassy waters among countless snow-capped mountains, see wildlife from giant whales and grizzly bears to soaring bald eagles and rivers full of salmon and watch glaciers hundreds of feet high crash into the water? Only in the pristine wilderness of Alaska.
- Full shipboard experience – Big-ship features with an intimate ambiance.
- Voyage will be exclusive to DISH Network – We have a complete buy-out of the ship!

Upcoming Shows

- **Retailer Chat** – Thursday, May 10, 2007, 12PM (Noon) ET on Channel 999.
- **Tech Forum** – Monday, May 14, 2007, 9PM ET on Channel 101.
- **Retailer Chat Replays** – On Channel 999, rotated with valuable training videos.

Thanks for Supporting DISH Network!

Erik Carlson

Senior Vice President – Sales/Retail Services

The foregoing (including, without limitation, brief description(s) of certain terms and conditions applicable to each of the Promotional Programs named in this Facts Blast) may be subject to applicable Business Rules and/or different terms and conditions of your Retailer Agreement with EchoStar Satellite L.L.C. ("EchoStar"). In the event of any conflict or inconsistency between the terms and conditions set forth in any applicable Business Rules posted on EchoStar's retailer website (the "Retailer Care Site") and the terms and conditions set forth above, the terms and conditions of such Business Rules posted on the Retailer Care Site shall be controlling.

With respect to hardware purchased by a Retailer from Echosphere L.L.C. ("Echosphere"), all equipment discounts and other Incentives shall be paid by EchoStar subject to and in accordance with the terms and conditions of each participating Retailer's Retailer Agreement and applicable Business Rules. With respect to hardware purchased by a Retailer from an Authorized Distributor, any and all equipment discounts and other Incentives shall be paid by the Authorized Distributor in accordance with and subject to the terms and conditions of your applicable agreement(s) with such Authorized Distributor. Notwithstanding anything set forth in this Facts Blast to the contrary, any and all references herein to equipment discounts and/or other Incentives shall apply solely and exclusively to Retailers who purchase their hardware from Echosphere. All capitalized terms set forth in this and the immediately prior paragraph shall have the meaning ascribed to them in your Retailer Agreement.