

NOTE OF ISSUE

Calendar No. (if any) _____

For use of clerk

Index No. 600292/08Supreme _____ Court, New York _____ CountyName of assigned judge Honorable Richard B. Lowe III

Notice for trial

VOOM HD HOLDINGS LLC,

- against -

ECHOSTAR SATELLITE LLC,

Trial by jury demanded _____

_____ of all issues

_____ of issues specified below

_____ or attached hereto

Trial without jury XFiled by attorney for VOOM HD Holdings LLCDate summons served February 5, 2008Date service completed February 5, 2008Date issue joined N/ANature of action or
special proceeding

Tort:

Motor vehicle negligence _____

Medical malpractice _____

Other tort _____

Contract X

Contested matrimonial _____

Uncontested matrimonial _____

Tax certiorari _____

Condemnation _____

Other (not itemized above)
(specify) _____Special preference
claimed under _____

on the ground that _____

Attorney(s) for Plaintiff(s) Orin Snyder, Esq.; Alma Asay, Esq.Office and P.O. Address: Gibson, Dunn & Crutcher LLP, 200 Park Avenue, 47th Floor, New York, New York 10166Phone No. 212-351-4000Attorney(s) for Defendant(s) Charles Kerr, Esq.; J. Alexander Lawrence, Esq.Office and P.O. address: Morrison & Foerster, LLP, 1290 Avenue of the Americas, New York, New York 10104Phone No. 212-468-8000Indicate if this action is
brought as a class action _____Amount demanded \$ In excess of \$2.5 billion

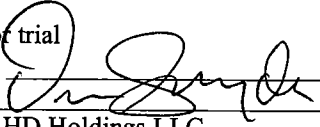
Other relief _____

Insurance carrier(s), if known: N/A

NOTE: The clerk will not accept this note of issue unless accompanied by a certificate of readiness

CERTIFICATE OF READINESS FOR TRIAL (Items 1-7 must be checked)

| | Complete | Waived | Not Required |
|---|---|--------|--------------|
| 1. All pleadings served | X | | |
| 2. Bill of particulars served | | | X |
| 3. Physical examinations completed | | | X |
| 4. Medical reports exchanged | | | X |
| 5. Appraisal reports exchanged | | | X |
| 6. Compliance with section 202.16 of the Rules of the Chief Administrator (22 NYCRR 202.16) in matrimonial actions | | | X |
| 7. Discovery proceedings now known to be necessary completed | X | | |
| 8. There are no outstanding requests for discovery | By letter dated October 5, 2009, Plaintiff requested permission to file a Motion for Sanctions Due to Spoliation of Evidence. That request is pending. In addition, Plaintiff submitted today a proposed order regarding the cancellation yesterday of the deposition of Defendant's expert witness, E. Roger Williams. | | |
| 9. There has been a reasonable opportunity to complete the foregoing proceedings | | | |
| 10. There has been compliance with any order issued pursuant to section 202.12 of the Rules of the Chief Administrator (22 NYCRR 202.12) | | | |
| 11. If a medical malpractice action, there has been compliance with any order issued pursuant to section 202.56 of the Rules of the Chief Administrator (22 NYCRR 202.56) | | | |
| 12. The case is ready for trial | | | |

Dated: March 19, 2010
(Signature) 
Attorney(s) for: VOOM HD Holdings LLC
Office and P.O. Address: 11 Penn Plaza, New York, New York 10001