

NOTE OF ISSUE

Calendar No. (if any) _____

For use of clerk

Index No. 600292/08

Supreme Court, New York County

Name of assigned judge Honorable Richard B. Lowe III

Notice for trial

VOOM HD HOLDINGS LLC,

- against -

EHOSTAR SATELLITE LLC,

Trial by jury demanded _____
 _____ of all issues
 _____ of issues specified below
 _____ or attached hereto

Trial without jury X

Filed by attorney for VOOM HD Holdings LLC

Date summons served February 5, 2008

Date service completed February 5, 2008

Date issue joined N/A

Nature 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 10166
 Phone No. 212-351-4000

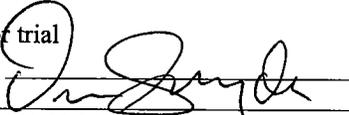
Indicate if this action is brought as a class action _____

Attorney(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 10104
 Phone No. 212-468-8000

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			