

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY: COMMERCIAL DIVISION

VOOM HD HOLDINGS, LLC,

Plaintiff,

-against-

ECHOSTAR SATELLITE L.L.C.,

Defendant.

:
:
: Index No. 600292/08
:
: IAS Part 56
:
: Hon. Richard B. Lowe III
:
: **STIPULATION AND ORDER**
:
:

WHEREAS, on May 19, 2008, the Court entered the Preliminary Conference Order;

WHEREAS, the Preliminary Conference Order provides that “[a]ll dispositive motions shall be made no more than 30 days after the filing of the Note of Issue.”

WHEREAS, on March 19, 2010, Plaintiff VOOM HD Holdings LLC (“Voom HD”) filed the Notice of Issue and Certificate of Readiness for Trial in this matter;

WHEREAS, pursuant to C.P.L.R. § 3212, both Voom HD and Defendant DISH Network L.L.C. f/k/a EchoStar Satellite L.L.C. (“EchoStar”) presently intend to file motions for summary judgment in this matter;

WHEREAS, both Voom HD and EchoStar seek a brief extension of the deadline to file motions for summary judgment, and the parties further seek to set a briefing schedule for those motions.

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that

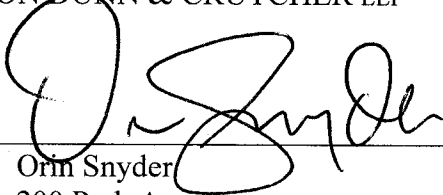
1. All motions for summary judgment and supporting papers will be served by hand delivery on or before Thursday, April 29, 2010;
2. All oppositions or responses to motions for summary judgment and supporting papers will be served by hand delivery on or before Friday, May 28, 2010;

3. All replies to in further support of motions for summary judgment and supporting papers will be served by hand delivery on or before Tuesday, June 29, 2010; and
4. Oral argument on the motions for summary judgment will be held at a date and time to be scheduled by the Court on or about Thursday, July 8, 2010 or on the earliest date thereafter that the Court may seek oral argument.
5. All opening and answering briefs or memoranda of law shall be limited to thirty (30) pages each; any reply memoranda shall be no more than twenty (20) pages; and affidavits and affirmations shall be limited to twenty-five (25) pages each.

Dated: April 9, 2010

GIBSON DUNN & CRUTCHER LLP

By:



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*Attorneys for Plaintiff
VOOM HD Holdings LLC*

MORRISON & FOERSTER LLP

By:



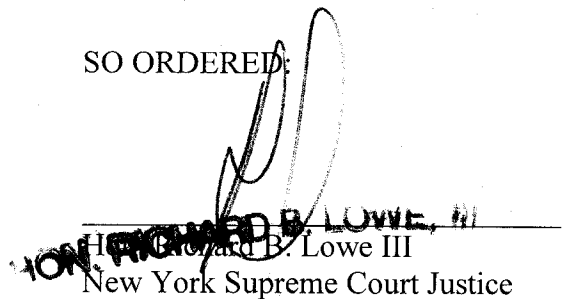
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*Attorneys for Defendant
EchoStar Satellite L.L.C. (n/k/a
DISH Network L.L.C.)*

Dated:

APR 14 2010

SO ORDERED:



HON. RICHARD B. LOWE, III
Hon. Richard B. Lowe III
New York Supreme Court Justice