

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TiVo Inc., a Delaware corporation,
Plaintiff,

v.

1. Dish Network Corporation, a Nevada corporation; 2. EchoStar DBS Corporation, a Colorado corporation; 3. EchoStar Technologies Corporation., a Texas corporation; 4. Echosphere L.L.C., a Colorado limited liability company; 5. EchoStar Satellite L.L.C., a Colorado limited liability company; and 6. EchoStar Corporation, a Nevada corporation.

Defendants.

No. 2-04cv01 DF
(Judge Folsom)

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
BRIEFING ON INTEREST ON STAY
DAMAGES**

Plaintiff TiVo Inc. ("TiVo") and defendants Dish Network Corporation; EchoStar DBS Corporation; EchoStar Technologies Corporation; Echosphere L.L.C.; EchoStar Satellite L.L.C.; and EchoStar Corporation (collectively "EchoStar") by and through their counsel of record, stipulate as follows:

WHEREAS, on June 2, 2009, the Court "granted in part" TiVo's Revised Motion on Remand for Damages During the Stay of the Permanent Injunction, awarding "stay damages" and stating that "TiVo is entitled to interest on this award in accordance with 28 U.S.C. § 1961";

WHEREAS the parties are in dispute regarding certain issues relating to pre-judgment and post-judgment interest on the Court's award of stay damages;

WHEREAS the parties desire to seek the Court's resolution of these disputes on a mutually agreeable briefing schedule;

NOW THEREFORE, the parties stipulate and agree that:

Respectfully submitted,

By: _____ /s/ _____

Karl Kramer

Harold J. McElhinny (*Pro Hac Vice*)

Rachel Krevans (*Pro Hac Vice*)

Karl Kramer (*Pro Hac Vice*)

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IT IS SO ORDERED.