

Subject:

FW: Attempt to adversely influence the price of a security

From: maine.rr.com]

Sent: Saturday, June 20, 2009 11:26 PM

To: 'enforcement@sec.gov'

Cc: 'ineedhelp@satelliteguys.us'

Subject: Attempt to adversely influence the price of a security

I am an investor that has been following a patent action that Tivo Inc. (ticker symbol TIVO) has brought against Echostar Inc et al (Ticker symbols DISH and SATS). This case has inspired lively discussion on the internet chat boards, and I follow them closely. This evening I noticed a post on the web site SatelliteGuys.us LINK: <http://www.satelliteguys.us/dish-network-forum/153883-tivo-vs-e-119.html#post1866412> It is in a thread that is discussing the Tivo v Echostar case at length. The post is by an individual who posts as "jacmyoung". In it he posts quotes that he purports to be from US Court of Appeals for the Federal Circuit orders regarding a stay that has been requested from the court. While one quote is accurate in its content, although it is not to be found on the court docket, regarding the issuance of a temporary stay, the other quote appears to be a complete fabrication, stating that the permanent stay, pending the outcome of the appeal, appears to have been granted.

This fabricated quote, if true, in all likelihood would send the stock price of Tivo significantly lower, I feel quite quickly, on Monday morning. I feel that this post and it's fabricated quote is a deliberate attempt to do just that.

The individual, "jacmyoung" has been a vehement supporter of Echostar Inc. on this discussion group, as well as others. He seems to get a wide berth in his discussion topics, as opposed to other posters who are pro Tivo. Those posters seem to get chastised and barred from posting at the drop of a hat, while this individual is allowed to post some quite controversial statements without any notice from the moderators or owners of the discussion board. I am not accusing the boards of conspiring with this individual, but they have certainly done nothing to stifle him.

I have attached a screen image of the post in question.

I urge you to investigate this incident, as well as the individual that posted the false information.

MAINER

