

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 FOR
EXTENSION OF TIME TO FILE
EXPERT DISCLOSURE**

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 the Court previously has ordered that EchoStar must file its expert disclosure no later than January 7, 2009, and

WHEREAS EchoStar needs a short extension of that deadline in order to complete its disclosure, and

WHEREAS TiVo has agreed to such an extension;

NOW THEREFORE, the parties stipulate and agree as follows:

1. EchoStar will disclose only one expert witness, Tom Rhyne, for the hearing scheduled on February 17-18. EchoStar’s expert disclosure shall be due on January 13, 2009, at noon Central time.

2. TiVo has disclosed only one expert, James Storer, for the hearing scheduled on February 17-18. TiVo shall make James Storer available for deposition on January 20 or 27, 2009.

3. EchoStar shall make its expert, Tom Rhyne, available for deposition on January 31, 2009.

4. Neither party shall use this stipulation to argue that other extensions of time are necessary.

5. The parties are currently discussing whether expert depositions should be limited to a single day. This stipulation is without prejudice to the parties' respective positions on that issue.

DATED: December 31, 2008

Respectfully submitted,

By: _____ /s/
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Respectfully submitted,

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