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June 15, 2009

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By Hand Delivery and Electronic Filing

The Honorable David Folsom
United States District Court
for the Eastern District of Texas
Federal Building
500 North Stateline, 3rd Floor
Texarkana, TX 75501

Re: *TiVo, Inc. v. EchoStar, et al.* Case No. 2-04CV-01

Your Honor:

While the Court's injunction is currently stayed, the EchoStar defendants wish to inform the Court that EchoStar is investigating other potential design-around options, but, at this stage, does not know whether a further design-around is even possible.

Sincerely,



S.F.L.

Rachel Krevans

cc: Counsel of Record
(Via Electronic Filing)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 15, 2009, all counsel of record who are deemed to have consented to electronic service are being served with a copy of the letter dated June 15, 2009 to The Honorable David Folsom from Rachel Krevans via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ *Rachel Krevans*
Rachel Krevans