

1 DARIN W. SNYDER (S.B. #136003) – dsnyder@omm.com  
2 DAVID R. EBERHART (S.B. #195474) – deberhart@omm.com  
3 O’MELVENY & MYERS LLP  
275 Battery Street, Suite 2600  
4 San Francisco, CA 94111-3305  
Telephone: (415) 984-8700  
Facsimile: (415) 984-8701

5 RICHARD L. STONE (S.B. #110022) – rlstone@hhlaw.com  
6 KENNETH D. KLEIN (S.B. #85231) – kdklein@hhlaw.com  
7 HOGAN & HARTSON L.L.P.  
1999 Avenue of the Stars, Suite 1400  
8 Los Angeles, California 90067  
Telephone: (310) 785-4600  
Facsimile: (310) 785-4601

9 Attorneys for Defendants  
10 NDS GROUP PLC and  
NDS AMERICAS, INC.

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**  
13 **SOUTHERN DIVISION**

14  
15 ECHOSTAR SATELLITE CORP.,  
16 *et al.*,

17 Plaintiffs,

18 v.

19 NDS GROUP PLC, *et al.*,

20 Defendants.  
21  
22

Case No. SA CV 03-950 DOC(JTLx)

**DEFENDANTS’ AMENDED LIST  
OF TRIAL WITNESSES**

Date: April 9, 2008  
Time: 8:30 a.m.  
Place: Courtroom 9D  
Judge: Hon. David O. Carter

1 Pursuant to Local Rule 16-5 and Federal Rule of Civil Procedure  
2 26(a)(3)(A), Defendants NDS Group PLC and NDS Americas, Inc. submit the  
3 following lists of persons Defendants expect to present as live witnesses or by  
4 deposition at the trial of this matter:

5 ***Witnesses Presented Live***

- 6 1. Michael Barr
- 7 2. Jeffrey Bedser
- 8 3. Bradford Cornell
- 9 4. Chris Dalla a/k/a StuntGuy
- 10 5. Leo Dumov
- 11 6. James Emerson
- 12 7. Reuven Hasak
- 13 8. Nigel Jones
- 14 9. Raynold Kahn
- 15 10. Geoffrey Kilfoyle
- 16 11. Anton Litchfield
- 17 12. John Norris
- 18 13. Anthony Peluso
- 19 14. Marco Pizzo
- 20 15. Dov Rubin
- 21 16. Michael Sankey
- 22 17. Christopher Tarnovksy
- 23 18. Len Withall - Mr. Withall resides in the UK and is retired from NDS.

24 NDS is attempting to secure his attendance at trial.

25  
26 ***Witnesses Controlled by Plaintiffs***

- 27 19. Joel Conus
- 28 20. JJ Gee

- 1 21. Suzanne Guggenheim
- 2 22. Mark Jackson
- 3 23. Henri Kudelski
- 4 24. Laurent Pilon

5  
6 ***Witnesses Presented By Deposition***

- 7 25. Ed Bruce
- 8 26. Peter Kuykendall
- 9 27. Al Menard
- 10 28. Donald Nance
- 11 29. William Joe Osborne
- 12 30. Sean Quinn
- 13 31. Germar Schaeffer
- 14 32. Andre Sergei

15  
16 The foregoing lists exclude persons whom Plaintiffs have previously  
17 identified as witnesses Plaintiffs intend to present at trial, either live or by  
18 deposition. Defendants reserve the right to present live or by deposition any  
19 witnesses that Plaintiffs have indicated they intend to call, but do not.

20  
21  
22 Dated: March 26, 2008

DARIN W. SNYDER  
DAVID R. EBERHART  
O'MELVENY & MYERS LLP

23  
24  
25 By: /s/ Darin Snyder  
26 DARIN W. SNYDER  
27 Attorneys for Defendants  
28 NDS GROUP PLC and NDS  
AMERICAS, INC.

SF1:700579.2