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FILED
CLERK, U.S. DISTRICT COURT
NOV - 9 2006
CENTRAL DISTRICT OF CALIF.
BY

10 Attorneys for Plaintiffs
ECHOSTAR SATELLITE CORP. et al.

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CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

ECHOSTAR SATELLITE
CORP., et al.,

Plaintiffs /
Counterclaim
Defendants

v.

NDS GROUP PLC, NDS
AMERICAS, INC., et. al.,

Defendants /
Counterclaim
Plaintiffs.

No. SA CV 03-950 DOC (JTLx)

District Judge:
Hon. David O. Carter

Courtroom 9D

**[PROPOSED] ORDER FOR
ISSUANCE OF LETTER
ROGATORY**

**Re: Allen Menard, 11020 Jasper
Avenue, Edmonton, Alberta, Canada,
or elsewhere in Alberta**

ORIGINAL

311

1 1. The Application of Plaintiffs for an order for the issuance of a letter
2 rogatory to take the deposition of Allen Menard came on for ruling before this
3 Court this the 9th day of November, 2006. The Court being fully advised, good
4 cause appearing therefore, and due notice having been given, finds that Allen
5 Menard resides abroad and is a necessary and material witness in the above-entitled
6 action.

7 IT IS ORDERED THAT:

8 2. A letter rogatory issue under the seal of this Court authorizing the
9 taking of deposition of Allen Menard whose address is 11020 Jasper Avenue,
10 Edmonton, Alberta, Canada, or elsewhere in Alberta, under oath or affirmation
11 upon oral examination and requesting the assistance of the appropriate judicial
12 authority in Alberta, Canada to compel his attendance. Counsel for either party
13 may appear and participate at the oral deposition, if they so chose, by telephone,
14 videoconference, or other electronic means, provided proper notice is effected and
15 the party makes the arrangements and pays for the expenses incurred for the
16 appearance.

17 DATED: November 9, 2006

18
19 *Joseph T. Lum*
20 United States Magistrate Judge

21 Respectfully Submitted By,
22 T. WADE WELCH & ASSOCIATES

23 By: *Joseph H. Boyle*
24 Joseph H. Boyle (*pro hac vice*)
25 Chad M. Hagan (*pro hac vice*)

DATED: November 8, 2006

26 Cynthia A. Ricketts (*pro hac vice*)
27 Michael T. Purleski
28 SQUIRE, SANDERS & DEMPSEY L.L.P.

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Attorneys for Plaintiffs ECHOSTAR SATELLITE CORPORATION,
ECHOSTAR COMMUNICATIONS CORPORATION, ECHOSTAR
TECHNOLOGIES CORPORATION, AND NAGRASTAR L.L.C.

PROOF OF SERVICE BY MAIL

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I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 South Flower St., 31st Floor, Los Angeles, California 90071-2300. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service.

On November 8, 2006, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

PROPOSED] ORDER FOR ISSUANCE OF LETTER ROGATORY

Re: Allen Menard, 11020 Jasper Avenue, Edmonton, Alberta, Canada, or elsewhere in Alberta

in a sealed envelope, postage fully paid, addressed as follows:

SEE ATTACHED SERVICE LIST

By U.S. Mail, According to Normal Business Practice. On this date, I sealed the above document(s) in an envelope addressed to the above, and I placed that sealed envelope for collection and mailing following ordinary business practices, for deposit with the U.S. Postal Service. I am readily familiar with the business practice at my place of business for the collection and processing of correspondence for mailing with the U.S. Postal Service. Correspondence so collected and processed is deposited the U.S. Postal Service the same day in the ordinary course of business, postage fully prepaid.

By personal delivery by Beverly Hills Express Attorney Services of the document(s) listed above to the person(s) at the address(es) set forth above.

By Facsimile. On this date, I transmitted the above-mentioned document(s) by facsimile transmission machine to the parties and facsimile number set forth above.

By Federal Express Service Carrier. On this date, I sealed the above document(s) in an envelope or package designated by Federal Express, an express service carrier, addressed to the above, and I deposited that sealed envelope or package in a box or other facility regularly maintained by the express service carrier, or delivered that envelope to an authorized courier or driver authorized by the express service carrier to receive documents, located in Los Angeles, California with delivery fees paid or otherwise provided for.

By Electronic Mail Transmission With Attachment. On this date, I transmitted the above-mentioned document(s) by electronic mail transmission with attachment to the parties at the electronic mail transmission address set forth below.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on November 8, 2006, at Los Angeles, California.



Vicki Scott

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SERVICE LIST

EchoStar Satellite Corporation, et al. v. NDS Group PLC, et al.
United States District Court, Central District of California, Southern Division
Case No. SA CV 03-0950 DOC (ANx)

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Via U.S. Mail

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 Internet Crimes Group, Inc.

Via Federal Express