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FILED-SOUTHERN DIVISION
CLERK, U.S. DISTRICT COURT
AUG 17 2006
CENTRAL DISTRICT OF CALIFORNIA
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15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA
17 SOUTHERN DIVISION

18 ECHOSTAR SATELLITE CORP., et al.,
19 Plaintiffs/Counterclaim Defendants,
20 v.
21 NDS GROUP PLC, NDS AMERICAS,
22 INC., et al.,
23 Defendants/Counterclaim Plaintiffs.

Case No.: SA CV 03-950 DOC (ANX)

STIPULATION BETWEEN
PLAINTIFFS AND NON-PARTY
DIRECTV CONCERNING
DOCUMENT PRODUCTION AND
RESERVATION OF RIGHTS AND
PRIVILEGE ARGUMENTS

ORDER

24 IT IS HEREBY STIPULATED between Plaintiff EchoStar Satellite L.L.C.
25 (f/k/a EchoStar Satellite Corporation), EchoStar Communications Corporation,
26 EchoStar Technologies Corporation and NagraStar L.L.C. (collectively "EchoStar")
27 and non-party DIRECTV, Inc. ("DIRECTV") as follows:

28 1. EchoStar served DIRECTV with a Rule 45 document subpoena on or
about December 30, 2005. DIRECTV thereafter served written responses, objections,
produced certain documents, and provided EchoStar with a privilege log of documents

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1 that might be responsive to the subpoena but were not produced because DIRECTV
2 contends they consist of attorney work product or attorney-client communications.

3 2. EchoStar and DIRECTV have engaged in an extensive meet and confer
4 process with respect to the production of the documents sought by EchoStar's
5 subpoena.

6 3. As part of the meet and confer process, DIRECTV has agreed to produce
7 the following documents identified in DIRECTV's privilege log:

8 a. DIRECTV00012-00018;

9 b. DIRECTV00022-00107; and

10 c. DIRECTV00163-00168;
11

12 4. DIRECTV agrees to produce the foregoing documents pursuant to this
13 stipulation to avoid further discovery disputes over these and other documents and
14 materials. DIRECTV believes that, upon reviewing the foregoing documents,
15 EchoStar will agree that DIRECTV's assertions that the documents are work product,
16 privileged or otherwise protected are well-founded and EchoStar will not need to seek
17 additional documents or materials from DIRECTV.

18 5. DIRECTV's production of the foregoing documents is not itself a waiver
19 of, or evidence of waiver of, any rights or privileges DIRECTV may have with respect
20 to these documents or any other materials or testimony, including but not limited to,
21 the attorney-work product protection or the attorney-client privilege EchoStar
22 stipulates that it will not argue in any proceeding, or otherwise, that DIRECTV's
23 production of these materials, pursuant to this stipulation, is itself a waiver, or
24 evidence of a waiver of any DIRECTV rights or privileges with respect to these or any
25 other materials or testimony. DIRECTV is only agreeing to produce these documents
26 after this stipulation is entered as an order of the Court.

27 6. DIRECTV will produce the foregoing documents with a designation of
28 HIGHLY CONFIDENTIAL pursuant to the Protective Order entered in the matter of

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1 *EchoStar Satellite Corporation, et al. v. NDS Group PLC, et al.*, No. SA CV 03-950 C
2 02-1178 DOC (ANX) (C.D. Cal. S. Div.).

3 7. EchoStar reserves all rights with respect to challenging this designation
4 once it has an opportunity to review the foregoing documents.

5 8. EchoStar and DIRECTV reserve all other rights they may have with
6 respect to EchoStar's subpoena requests and any further discovery requests including
7 without limitation deposition requests.

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9 So Stipulated.

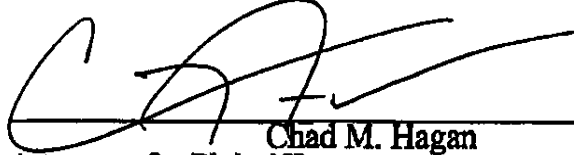
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11 DATED: August 16, 2006

CHAD M. HAGAN
T. WADE WELCH & ASSOCIATES

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Chad M. Hagan
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CORPORATION, ECHOSTAR TECHNOLOGIES
CORPORATION, AND NAGRASTAR, L.L.C.

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18 DATED: August 16, 2006

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Michael J. Hartley
Attorneys for Non-Party
DIRECTV, INC.

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25 So Ordered.

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27 Dated: AUGUST 17, 2006


The Honorable David O. Carter
United States District Court Judge

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PROOF OF SERVICE BY MAIL

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 August 16, 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):

**STIPULATION BETWEEN PLAINTIFFS AND NON-PARTY
DIRECTIVE CONCERNING DOCUMENT PRODUCTION
AND RESERVATION OF RIGHTS AND PRIVILEGE
ARGUMENTS**

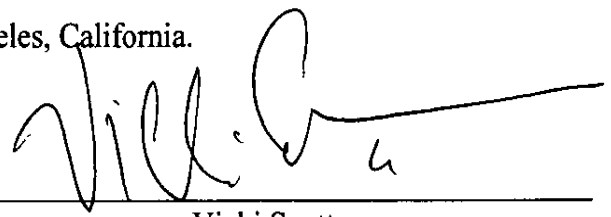
in a sealed envelope, postage fully paid, addressed as follows:

SEE ATTACHED SERVICE LIST

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

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 August 16, 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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