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9 Attorneys for Defendants
 DISH NETWORK L.L.C.; ECHOSTAR
 10 SATELLITE CORPORATION; ECHOSPHERE
 L.L.C. (ERRONEOUSLY SUED AS ECOSPHERE
 11 L.L.C.)

12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA

14 MARQUES JOHNSON,
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 Plaintiff,
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 v.
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18 DISH NETWORK, L.L.C.; ECHOSTAR
 SATELLITE CORPORATION;
 ECOSPHERE L.L.C.; KRISTY FEBEL;
 19 BLAKE KEISER; and DOES 1-50,
 inclusive,
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 Defendants.
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Case No. 2:11-CV-02133-LKK-DAD

**STIPULATION AND ORDER RE
 ARBITRATION AND TO STAY
 PROCEEDINGS PENDING ARBITRATION**

Trial Date: None set.
 Complaint filed: June 13, 2011

1 Plaintiff MARQUES JOHNSON and Defendants DISH NETWORK L.L.C. (“DISH”),
2 ECHOSTAR SATELLITE CORPORATION, and ECHOSPHERE L.L.C. (erroneously sued as
3 ECOSPHERE L.L.C.), (collectively, “the Parties”), by and through their attorneys of record, hereby
4 stipulate and agree as follows:

5 1. On June 13, 2011, Plaintiff filed a Complaint in the Superior Court of the State of
6 California, in and for the County of Sacramento, which was captioned as follows: “*MARQUES*
7 *JOHNSON, Plaintiff v. DISH NETWORK, LLC; ECHOSTAR SATELLITE CORPORATION;*
8 *ECOSPHERE, LLC; KRISTY FEBEL, BLAKE KEISER, AND DOES 1-50, INCLUSIVE; Defendants,*”
9 designated as Case No. 34-2011-00105860.

10 2. On August 11, 2011, Defendants removed this case to the United States District
11 Court, Eastern District of California, and this case was designated as Case No. 2:11-CV-02133-
12 LKK-DAD.

13 3. The Parties have not yet appeared at the Status (Pretrial Scheduling) Conference
14 currently scheduled for October 24, 2011 and no trial date has been assigned.

15 4. The Parties agree that they entered into and are bound by the Mandatory Arbitration
16 of Disputes – Waiver of Rights Agreement (“Arbitration Agreement”) signed by Plaintiff on April 9,
17 2007, with respect to the claims at issue in the above-referenced action.

18 5. Plaintiff agrees to submit his claims at issue in the above-referenced action to final
19 and binding arbitration pursuant to the Arbitration Agreement signed by Plaintiff on April 9, 2007.

20 6. The Parties agree that this action should be stayed pending arbitration and that the
21 Court shall retain jurisdiction over this matter pending the conclusion of the arbitration.

22 **IT IS SO STIPULATED.**

1 Dated: September 27, 2011

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/s/Eric C. Bellafronto
ERIC C. BELLAFRONTO, ESQ.
ADRIANNE B. OSTROWSKI, ESQ.
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendants
DISH NETWORK, L.L.C.; ECHOSTAR
SATELLITE CORPORATION;
ECOSPHERE, L.L.C.

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10 Dated: September 26, 2011

/s/Leo F. Donahue
LEO F. DONAHUE, ESQ.
LEO F. DONAHUE, INC.
Attorneys for Plaintiff
MARQUES JOHNSON

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15 Dated: September 26, 2011

/s/Kevin W. Harris
KEVIN W. HARRIS, ESQ.
LAW OFFICES OF KEVIN W. HARRIS
Attorneys for Plaintiff
MARQUES JOHNSON

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1 **ORDER**

2 Pursuant to the Parties' stipulation and good cause appearing, it is hereby ordered,
3 adjudged and decreed that:


4 1. Plaintiff Marques Johnson shall submit his claims at issue in the above-referenced
5 action to final and binding arbitration pursuant to the Mandatory Arbitration of Disputes – Waiver of
6 Rights Agreement (“Arbitration Agreement”) signed by Plaintiff on April 9, 2007;

7 2. Plaintiff Marques Johnson’s action is hereby stayed pending arbitration; and

8 3. This Court shall retain jurisdiction over this matter pending the conclusion of the
9 arbitration.

10 **IT IS SO ORDERED.**

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12 DATED: September 29, 2011

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15 LAWRENCE K. KARLTON
16 SENIOR JUDGE
17 UNITED STATES DISTRICT COURT