

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable R. Brooke Jackson

Civil Action No. 11-cv-02836-RBJ

DISH NETWORK, LLC, formerly known as ECHOSTAR SATELLITE, LLC,

Plaintiff,

v.

NEWPORT SATELLITE GROUP, INC.,

Defendant.

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ORDER CONFIRMING ARBITRATION AWARD

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The Court has reviewed the plaintiff's Unopposed Application to Confirm Arbitration Award (#1). The Application represents that it is "unopposed." That appears to mean "unopposed by the bankruptcy trustee." The Application was not served on Newport Satellite Group, Inc. as such. What is left of Newport and whether Newport has standing in any event to oppose confirmation of the award is unknown to me. I do, however, note that according to the arbitrator's award, notice of the arbitration was provided to two attorneys who had previously represented Newport or its officers, but neither the lawyers nor anyone else appeared on behalf of Newport at the hearing. It appears, therefore, that Newport has elected not to participate in the proceedings. On that assumption and the implicit representation by Claimant's counsel as officers of the Court that the Application truly is "unopposed" the Court grants the Application.

The Court orders the following:

- (i) the application to confirm the Arbitration Award is granted;
- (ii) the Court enters judgment in favor of DISH NETWORK, LLC against

NEWPORT SATELLITE GROUP, INC. for the amount of \$15,788,697.71;

- (iii) the Court grants post-judgment interest on the total amount of damages set forth in the Arbitration Award at eight percent compounded annually from November 20, 2010 (date of issuance) until satisfaction of the Arbitration Award; and
- (iv) the Court awards DISH NETWORK, LLC reasonable attorneys' fees and costs incurred as a result of this action pursuant to Section 17.11 of the Retailer Agreement.

DATED this 2<sup>nd</sup> day of November, 2011.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Brooke Jackson", with a long horizontal flourish extending to the right.

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R. Brooke Jackson  
United States District Judge