

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Case No. 13-cv-02628-WJM

IRON WORKERS MID-SOUTH PENSION FUND, Derivatively on behalf of DISH  
NETWORK CORPORATION,

Plaintiff,

v.

CHARLES W. ERGEN,  
JAMES DEFRANCO,  
CANTEY M. ERGEN,  
JOSEPH P. CLAYTON,  
STEVEN F. GOODBARN,  
TOM A. ORTOLF,  
DAVID K. MOSKOWITZ, and  
CARL E. VOGEL,

Defendants.

and

DISH NETWORK CORPORATION, a Nevada corporation,

Nominal Defendant

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**ORDER GRANTING MOTION TO DISMISS**


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This matter comes before the Court on the Plaintiffs' Motion to Dismiss filed October 11, 2013 (ECF No. 6). The Court having reviewed the Motion and being fully advised hereby ORDERS as follows:

The Plaintiffs' Motion to Dismiss is GRANTED. The above-captioned matter is DISMISSED WITHOUT PREJUDICE. Each party shall pay his or its own attorney's fees and costs.

Dated this 11<sup>th</sup> day of October, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martínez", written over a horizontal line.

William J. Martínez  
United States District Judge