

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DISH NETWORK L.L.C.,

Plaintiff,

v.

AMERICAN BROADCASTING  
COMPANIES, INC., CBS CORPORATION,  
the FOX ENTERTAINMENT GROUP, INC.,  
FOX TELEVISION HOLDINGS, INC., FOX  
CABLE NETWORK SERVICES, L.L.C., and  
NBCUNIVERSAL MEDIA, L.L.C.,

Defendants.

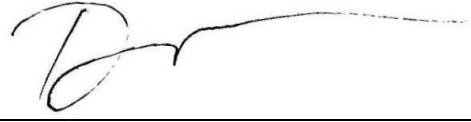
12 Civ. 4155 (LTS) (KNF)

**DECLARATION OF DAVID SHULL**

Pursuant to 28 U.S.C. § 1746 **DAVID SHULL** hereby declares:

1. I am the Senior Vice President of Programming for DISH Network L.L.C. (“DISH”). I submit this Declaration in support of DISH’s Motion for an Anti-Suit Injunction and Temporary Restraining Order.
2. In the course of my job responsibilities at DISH, I am in regular contact with representatives of the four major television networks, ABC, CBS, Fox and NBC.
3. After the introduction of Auto Hop on May 10, 2012 none of the individuals with whom I interact at the networks made any threat or mention of possible litigation. I did not receive, and to my knowledge no one at DISH has received, a cease and desist letter or any formal communication making such a threat prior to the networks filing suit on the afternoon of May 24, 2012. While I was aware of general threats in the media about the possibility of litigation, I never received communication from anyone at the networks of any planned action. I declare under penalty of perjury that the forgoing is true and correct.

Executed on: May 28, 2012

A handwritten signature in black ink, appearing to be 'D Shull', written over a horizontal line.

David Shull