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“The Firm in Economics and Antitrust Law” (with Andres V. Lerner), American Bar Association Antitrust Section, *Issues in Competition Law and Policy*, forthcoming (2007).

“The Economics of Slotting Contracts” (with Joshua D. Wright), *Journal of Law and Economics*, forthcoming (August 2007).

“The Expanded Economics of Free-Riding: How Exclusive Dealing Prevents Free-Riding and Creates Undivided Loyalty” (with Andres V. Lerner), *Antitrust Law Journal*, Vol. 74, No. 2 (2007).

Reprinted in *Economics of Antitrust Law*, Benjamin Klein and Andres V. Lerner (eds.), Edward Elgar Publishing, Ltd., forthcoming (2008).

“The Economic Lessons of Fisher Body-General Motors,” *International Journal of the Economics of Business*, Vol. 14, No. 1 (February 2007), pp. 1-36.

“Competition In Two-Sided Markets: The Antitrust Economics of Payment Card Interchange Fees” (with Andres V. Lerner, Kevin M. Murphy and Lacey Plache), *Antitrust Law Journal*, Vol. 73, No. 3 (2006), pp. 571–626.

“Trading Stamps” (with Armen A. Alchian), *The Collected Works of Armen A. Alchian*, Vol. 1, Liberty Fund, 2006.

“First Negotiation, First Refusal Rights” (with Armen A. Alchian and Earl A. Thompson), *The Collected Works of Armen A. Alchian*, Vol. 2, Liberty Fund, 2006.

“Brand Names,” *The Concise Encyclopedia of Economics*, David R. Henderson (ed.), the Library of Economics and Liberty, Liberty Fund, 2005.

“Exclusive Dealing as Competition for Distribution ‘On the Merits,’” *George Mason Law Review*, Vol. 12, No. 1 (Fall 2003), pp. 119–162.

“Competitive Price Discrimination as an Antitrust Justification for Intellectual Property Refusals to Deal” (with John Wiley Jr.), *Antitrust Law Journal*, Vol. 70, No. 3 (2003), pp. 599–642.

“Market Power in Economics and in Antitrust: Reply to Baker” (with John Wiley Jr.), *Antitrust Law Journal*, Vol. 70, No. 3 (2003), pp. 655–659.

“The Economics of Copyright ‘Fair Use’ In a Networked World” (with Andres V. Lerner and Kevin M. Murphy), *American Economic Review Papers and Proceedings*, Vol. 92, No. 2 (May 2002), pp. 205–208.

“The Microsoft Case: What Can A Dominant Firm Do To Defend Its Market Position?” *Journal of Economic Perspectives*, Vol. 15, No. 2 (May 2001), pp. 45–62.

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"Did Microsoft Engage in Anticompetitive Exclusionary Behavior?," *The Antitrust Bulletin*, Vol. 46, No. 1 (Spring 2001), pp. 71–113.

"How Block Booking Facilitated Self-Enforcing Film Contracts" (with Roy W. Kenney), *Journal of Law and Economics*, Vol. 43, No. 2 (October 2000), pp. 427–435.

"The Role of Incomplete Contracts In Self-Enforcing Relationships," *Revue d'Economie Industrielle*, n° 92, 2^e et 3^e trimestres (2000), special issue on The Economics of Contract Theories in Prospect and Retrospect, pp. 67–80.

Reprinted in *The Economics of Contracts: Theories and Applications*, Eric Brousseau and Jean-Michel Glachant (eds.), Cambridge University Press (2002), chapter 4. pp. 59–71.

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"An Economic Analysis of Microsoft's Conduct," *Antitrust*, Fall 1999, pp. 38–47.

"Market Power in Franchise Cases in the Wake of *Kodak*: Applying Post-Contract Hold-Up Analysis to Vertical Relationships," *Antitrust Law Journal*, Vol. 67, No. 2 (1999), pp. 283–326.

"Distribution Restrictions Operate By Creating Dealer Profits: Explaining the Use of Maximum Resale Price Maintenance in *State Oil v. Khan*," *Supreme Court Economic Review*, Vol. 7 (1999), pp. 1–58.

"Microsoft's Use of Zero Price Bundling to Fight the 'Browser Wars'," *Competition, Convergence and the Microsoft Monopoly: Antitrust in the Digital Marketplace*, J.A. Eisenach and T.M. Lenard (eds.), Kluwer (1999), chapter 11, pp. 216–253.

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"The Hold-Up Problem," *The New Palgrave Dictionary of Economics and the Law*, Peter Newman (ed.), London: Macmillan, 1998.

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"Vertical Integration As A Self-Enforcing Contractual Arrangement" (with Kevin M. Murphy), *American Economic Review Papers and Proceedings*, Vol. 87, No. 2 (May 1997), pp. 415–420.

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"Why 'Hold-Ups' Occur: The Self-Enforcing Range of Contractual Relationships," *Economic Inquiry*, Vol. 34, No. 3 (July 1996), pp. 444–463.

Reprinted in J. Lott (ed.), *Uncertainty and Economic Evolution* (London: Routledge, 1997), Chapter 4, pp. 61-84; Claude Menard (ed.), *The International Library of the New Institutional Economics* (Edward Elgar Publishing, Ltd., forthcoming).

"Monopolization by 'Raising Rivals' Costs': The Standard Oil Case" (with Elizabeth Granitz), *Journal of Law and Economics*, Vol. 39, No. 1 (April 1996), pp. 1–47.

Reprinted in Stephen A. Salant and Margaret C. Levenstein (eds.), *Cartels, the International Library of Critical Writings in Economics* (Mark Blaug, series ed.), Edward Elgar Publishing, Ltd., forthcoming; Benjamin Klein and Andres V. Lerner (eds.), *Economics of Antitrust Law*, Edward Elgar Publishing, Ltd., forthcoming 2008.

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"The Economics of Franchise Contracts," *Journal of Corporate Finance*, Vol. 2, No. 1/2 (October 1995), pp. 9–37.

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"Competing Monies: A Comment," *Journal of Money, Credit, and Banking*, Vol. 8, No. 4 (November 1976), pp. 513–519.

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"The Impact of Inflation on the Term Structure of Corporate Financial Instruments: 1900-72," in Silber, W. (ed.), *Financial Innovation* (Lexington, Massachusetts: D.C. Heath and Company, 1975), Chapter 4, pp. 125–149.

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"Our New Monetary Standard: The Measurement and Effects of Price Uncertainty, 1880-1972," *Economic Inquiry*, Vol. 13, No. 4 (December 1975), pp. 461-484.

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"Competitive Interest Payments on Bank Deposits and the Long-Run Demand for Money," *American Economic Review*, Vol. 64, No. 5 (December 1974), pp. 931-949.

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"The Competitive Supply of Money," *Journal of Money, Credit, and Banking*, Vol. 6, No. 4 (November 1974), pp. 423-453.

"Deterrence of Criminal Activity: Comment," in the *Economics of Crime and Punishment* (Simon Rottenberg, ed.), American Enterprise Institute, Washington, DC, 1973, pp. 106-112.

"Income Velocity, Interest Rates and the Money Supply Multiplier: A Reinterpretation of the Long-Term Evidence," *Journal of Money, Credit and Banking*, Vol. 5, No. 2 (May 1973), pp. 656-668.

"On a Correct Measure of Inflation" (with Armen A. Alchian), *Journal of Money, Credit, and Banking*, Vol. 5, No.1 (February 1973), pp. 173-191.

Reprinted in *The Collected Works of Armen A. Alchian*, Vol. 1, Liberty Fund (2006).

BOOK REVIEWS

Did Monetary Forces Cause the Great Depression? by Peter Temin, Review, *Journal of Business*, Vol. 50, No. 2 (April 1977), pp. 244-248.

Competition and Entrepreneurship, by Israel Kirzner, Review, *Journal of Political Economy*, Vol. 83, No. 6 (December 1975), pp. 1305-1309.

The Channels of Monetary Effects on Interest Rates, by Phillip Cagan, Review, *Journal of Business*, Vol. 47, No. 1 (January 1974), pp. 94-96.



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Dr. Lerner is a Director at LECG, LLC. He holds a Ph.D. in Economics from the University of California at Los Angeles. Dr. Lerner has extensive experience consulting in antitrust matters, including on issues such as tying, exclusive dealing, exclusive territories, refusals to deal, price-fixing, predatory pricing, monopolization, and market definition. He also has extensive expertise in estimating damages and conducting complex econometric and statistical analysis. Dr. Lerner has provided litigation consulting in a wide range of industries, including the payment cards, pharmaceutical, music, motion picture, automotive, food and beverage, Internet, franchising, avionics, consumer products, and energy industries. Dr. Lerner has published articles in economic and legal journals and has co-edited a volume on seminal articles in antitrust economics.

EDUCATION

Ph.D., Economics, University of California at Los Angeles, 1999.

M.A., Economics, University of California at Los Angeles, 1996.

B.A., Economics, University of California at Berkeley, 1993.

PROFESSIONAL EXPERIENCE

Director, LECG LLC, Los Angeles, California, April 2007 to present.

Principal, LECG LLC, Los Angeles, California, March 2004 to March 2006.

Adjunct Professor, University of Southern California, Department of Economics, Los Angeles, California, May to August 2004.

Vice President, Economic Analysis LLC, Los Angeles, California, July 2003 to February 2004.

Senior Economist, Economic Analysis LLC, Los Angeles, California, June 2001 to June 2003.

Economist, Economic Analysis LLC, Los Angeles, California, 1999 to June 2001.

Teaching Associate, Department of Economics, University of California at Los Angeles, 1997 to 1999.

Teaching Associate, School of Public Policy, University of California at Los Angeles, 1998.

Teaching Associate, Anderson Graduate School of Management, University of California at Los Angeles, 1997.

Summer Associate, Resources for the Future, Washington DC, 1997.

Research Associate, Anderson Graduate School of Management, University of California at Los Angeles, 1997 to 1999.

Research Associate, Department of Economics, University of California at Los Angeles, 1996 to 1997.

FIELDS OF SPECIALIZATION

Antitrust, Industrial Organization, and Econometrics.

PUBLICATIONS

“The Firm in Economics and Antitrust Law,” (with Benjamin Klein), *Issues in Competition Law and Policy*, forthcoming 2007.

“How Exclusive Dealing Prevents Free-Riding and Creates Undivided Loyalty,” (with Benjamin Klein), *Antitrust Law Journal*, forthcoming July 2007.

“Economics of Antitrust Law: Introduction,” in *Economics of Antitrust Law, Economic Approaches to Law Series*, (with Benjamin Klein), Volume editors Benjamin Klein and Andres V. Lerner, Series editors Richard A. Posner and Francesco Parisi, Edward Elgar Publishing Ltd., forthcoming December 2007.

Co-editor, *Economics of Antitrust Law, Economic Approaches to Law Series*, (with Benjamin Klein), Series editors Richard A. Posner and Francesco Parisi, Edward Elgar Publishing Ltd., forthcoming December 2007.

“Competition in Two-Sided Markets: The Antitrust Economics of Payment Card Interchange Fees,” (with Benjamin Klein, Kevin Murphy, and Lacey Plache), *Antitrust Law Journal*, Vol. 73, No. 3 (2006), pp. 571-626.

“The Economics of Copyright ‘Fair Use’ in a Networked World,” (with Benjamin Klein and Kevin Murphy), *American Economic Review Papers & Proceedings*, Vol. 92, No. 2 (May 2002), pp. 205-208.

AFFILIATIONS

American Bar Association, Associate Member

Los Angeles County Bar Association

American Economic Association

SELECTED LITIGATION CONSULTING EXPERIENCEFederal Trade Commission

In the Matter of Realcomp II LTD.

United States of America, Before Federal Trade Commission, Docket No. 9320

Provided consulting related to antitrust claims involving real estate Multiple Listing Service.
(November 2006 to present)

Abbott

Counsel: Winston & Strawn LLP

In Re Abbott Labs Norvir Antitrust Litigation

United States District Court, Northern District of California, Case No. C-04-1511 CW.

Provided consulting related to class certification involving monopolization claims in the pharmaceutical industry.
(November 2006 to present)

Visa U.S.A. Inc.

Counsel: Holme Roberts & Owen LLP; Heller Ehrman LLP

Visa U.S.A. Inc. v. First Data Corp. and related counterclaims.

U.S. District Court, Northern District of California, Case No. C 02-1786-JSW.

Provided consulting related to alleged tying and monopolization claims involving the processing of payment card transactions.
(June 2004 to May 2006)

GlaxoSmithKline

Counsel: Cleary Gottlieb Steen & Hamilton LLP

AIDs Healthcare Foundation v. GlaxoSmithKline

U.S. District Court, Central District of California, Case No. 02-5223-TJH.

Provided consulting related to claims of patent fraud and monopolization in the pharmaceutical industry.
(June 2004 to April 2006)

General Motors Corp., DaimlerChrysler Corp., Ford Motor Co., and OEConnection LLP

Counsel: Kirkland & Ellis LLP, Dewey Ballantine LLP, Mayer Brown Rowe & Maw LLP, and Hogan & Hartson LLP

ChoiceParts LLC v. General Motors Corp., DaimlerChrysler Corp., Ford Motor Co., and OEConnection LLC, et al.

U.S. District Court for the Northern District of Illinois, Case No. 01 C 0067.

Provided analysis of damages in case involving alleged refusal-to-deal in the automobile parts industry.

(August 2002 to December 2004)

Northwest Airlines, Inc.

Counsel: Boies, Schiller and Flexner LLP

Spirit Airlines, Inc., v. Northwest Airlines, Inc.

U.S. District Court for the Eastern District of Michigan, Case No. 00-71535.

Directed analysis of damages in case involving claims of predatory pricing in the airline industry.

(January to December 2002)

Philip Morris Inc.

Counsel: Heller Ehrman White & McAuliffe LLP; Boies, Schiller & Flexner LLP

Holiday Wholesale Grocery Co., et al. v. Philip Morris, et al.

U.S. District Court, Northern District of Georgia, Case No. 1:00-cv-447-JOF.

Provided consulting related to alleged price-fixing conspiracy in the cigarette industry.

(April 2001 to January 2002)

Illinois Tool Works

Counsel: Sonnenschein, Nath & Rosenthal LLP

Illinois Tool Works v. Independent Ink, Inc and related counterclaims..

U.S. District Court, Central District of California, Case No. CV 98-6686-NM.

Provided consulting in case involving alleged tying in the commercial printing systems industry.

(April 2001 to present)

Motion Picture Association of America

Counsel: O'Melveny & Myers LLP

Metro-Goldwyn-Mayer Studios Inc., et al. v. RecordTV.com and David Simon

United States District Court, Central District of California, Case No. 00-06443 MMM (MANx).

Provided consulting support related to claim of copyright infringement.

(February 2001 to March 2001)

Subaru of New England, Inc.

Counsel: McDermott Will & Emery LLP

George Lussier Enterprises Inc. et al. v. Subaru of New England et al.

U.S. District Court, District of New Hampshire, Case No. 03-2715.

Provided consulting related to claims of tying by a class action of Subaru automobile dealers.

(February 2001 to December 2002)

Universal Avionics

Counsel: McDermott, Will & Emery LLP; Weinberger Law Firm

Universal Avionics Systems Corporation v. Rockwell International Corporation, et al.

United States District Court, District of Arizona, Case No. CV97-28 TUC-ACM.

Provided consulting related to alleged tying and monopolization in the market for aircraft avionics systems.

(December 2000 to June 2001)

Time Warner Inc., MediaOne Group, and Road Runner LLC

Counsel: Cravath, Swaine and Moore LLP; Proskauer Rose LLP; O'Melveny and Myers LLP
Arthur Simon et. al. v. American Telephone and Telegraph Corp., et. al.
United States District Court, Central District of California, Case No. CV 99-11641 RSWL
Provided consulting pertaining to a claims of tying and monopolization in the supply of cable Internet broadband services.
(April 2000 to January 2001)

Securities and Exchange Commission

SEC v. Ogle et. al.
U.S. District Court, Northern District of Illinois.
Provided market analysis on stock market manipulation claims.
(March to April 2000)

Collins v. International Dairy Queen, Inc.

Counsel: Mayer, Brown and Platt
U.S. District Court, Middle District of Georgia, Case No. 5:94-CV-95-4.
Provided consulting support related to claims of tying by Dairy Queen franchisees.
(February to March 2000)

Visa U.S.A.

Counsel: Heller Ehrman White & McAuliffe LLP
Wal-Mart, et al. v. Visa, et al.
United States District Court, Eastern District of New York, Case No. CV-96-5238.
Conducted analysis related to claims of tying and monopolization in the payment card industry.
(February to April 2000)

The Coca-Cola Company

Counsel: Morrison & Foerster LLP
The Coca-Cola Company, et al. v. Omni Pacific Company, et al. and related counterclaims.
United States District Court, District of Northern California, Case No. C-98-0784-SI.
Assessed damages related to exclusive territory distribution system in the beverage industry.
(November 1999 to October 2000)

Johnson & Johnson

Counsel: Kramer Levin Naftalis & Frankel LLP
Kropinski, et al. v. Johnson & Johnson, et al.
Superior Court of New Jersey, Case No. 8886-96.
Provided economic analysis relating to price discrimination claim in connection with the sale of contact lens products.
(September 1999 to January 2000)

June 2007



Emmett J. Dacey

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Mr. Dacey is a Senior Economist at LECG, LLC. He holds an M.A. in Economics from the University of California, Santa Barbara, and a B.S. in Applied Economics from the University of Minnesota. Mr. Dacey has experience in a wide variety of economic consulting matters. He has worked on cases involving such issues as price-fixing, damages, exclusive dealing, monopolization, and market definition. He also has expertise in conducting complex econometric and statistical analyses. Mr. Dacey has consulted for clients in a wide range of industries, including real estate, healthcare, manufacturing, electronics, and pharmaceuticals.

Education

M.A., Economics, University of California, Santa Barbara, 2003.
Chancellor's and Regents Fellowships Recipient

B.S., Applied Economics, University of Minnesota, 2002.
Graduated with Distinction

Professional Experience

Senior Economist, LECG, LLC, Los Angeles, California, January 2007 to present.

Economist, LECG, LLC, Los Angeles, California, January 2006 to December 2006.

Associate and Senior Associate, LECG, LLC, Los Angeles, California, August 2004 to December 2005.

Financial Analyst, St. John's Pleasant Valley Hospital, Camarillo, California, 2004.

Teaching Associate, Department of Economics, University of California, Santa Barbara, 2003 to 2004.

Teaching Associate, Department of Applied Economics, University of Minnesota, 2002.

Selected Consulting Experience*U.S. v. Elpida Memory Systems, Inc.*

Analyzed price data and market conditions for a price-fixing case in semiconductor industry.
(2004 to 2005)

In re High Pressure Laminates

Performed statistical analysis of price data for price-fixing litigation in manufacturing industry.
(2004 to 2006)

AIDs Healthcare Foundation v. GlaxoSmithKline

Provided litigation consulting related to claims of patent fraud and monopolization in the pharmaceutical industry.
(2005)

Carol and Robert Testwuide, et al. v. U.S.

Provided analysis of housing data in real-estate damages case.
(2005-2006)

Nitin Patel, M.D. v. Verde Valley Medical Center

Provided litigation consulting related to monopolization and exclusive dealing claims in the healthcare industry.
(2005-2007)

James Clayworth, et al. v. Pfizer, et. al.

Performed data and damages analysis for conspiracy case in the pharmaceutical industry.
(2006)

Allied Medical Devices, et al. v. Tyco Healthcare Corp.

Provided consulting related to claims of monopolization and exclusive dealing in the healthcare industry.
(2006-2007)

Appendix B:

Satellite Local-Into-Local Launch Dates

Appendix B

Satellite Local-Into-Local Launch Dates

DMA #	DMA Name	DIRECTV	EchoStar
803	Los Angeles	11/29/1999	7/19/1998
501	New York	11/29/1999	2/1/1998
751	Denver	12/3/1999	8/21/1998
807	San Francisco	12/3/1999	8/21/1998
511	Washington DC	12/3/1999	2/1/1998
524	Atlanta	12/9/1999	2/1/1998
505	Detroit	12/9/1999	12/23/1999
528	Miami	12/9/1999	8/21/1998
504	Philadelphia	12/9/1999	12/24/1999
753	Phoenix	12/9/1999	8/21/1998
602	Chicago	12/16/1999	2/1/1998
510	Cleveland	12/16/1999	2/1/2000
623	Dallas	12/16/1999	2/1/1998
618	Houston	12/16/1999	1/19/2000
506	Boston	12/28/1999	2/1/1998
567	Greenville-Spart.	12/28/1999	9/5/2000
560	Raleigh-Durham	12/28/1999	6/30/2000
613	Minneapolis	1/15/2000	12/21/1999
539	Tampa	1/15/2000	2/21/2000
534	Orlando	2/5/2000	1/31/2000
819	Seattle	2/5/2000	12/23/1999
862	Sacramento	3/4/2000	2/29/2000
609	St. Louis	3/4/2000	3/3/2000
770	Salt Lake City	6/1/2000	8/21/1998
512	Baltimore	6/30/2000	11/6/2003
508	Pittsburgh	6/30/2000	9/15/1998
825	San Diego	6/30/2000	7/5/2000
517	Charlotte	7/28/2000	4/4/2000
527	Indianapolis	7/28/2000	4/17/2000
617	Milwaukee	7/28/2000	12/17/2003
820	Portland OR	8/25/2000	3/6/2000
616	Kansas City	9/13/2000	11/19/2000
659	Nashville	9/13/2000	12/23/1999
515	Cincinnati	9/20/2000	9/5/2000
640	Memphis	9/27/2000	10/02/2003
630	Birmingham	10/31/2000	5/18/2001
518	Greensboro	11/8/2000	11/6/2003
641	San Antonio	11/8/2000	10/3/2000
535	Columbus	12/13/2000	11/13/2003
635	Austin	12/22/2000	3/29/2001
548	W Palm Beach	12/22/2000	6/19/2002
533	Hartford	5/15/2002	12/17/2003
839	Las Vegas	5/15/2002	11/7/2002
521	Providence	7/10/2002	5/13/2004
514	Buffalo	7/31/2002	11/21/2002
563	Grand Rapids	7/31/2002	5/24/2002
650	Oklahoma City	7/31/2002	7/2/2002
544	Norfolk	8/28/2002	8/12/2004
557	Knoxville	9/18/2002	5/22/2003
622	New Orleans	9/26/2002	8/19/2004

Note: Data as of 4/2/2007.

Appendix B

Satellite Local-Into-Local Launch Dates

DMA #	DMA Name	DIRECTV	EchoStar
561	Jacksonville	11/6/2002	11/6/2002
556	Richmond	1/16/2003	11/6/2003
752	Colorado Springs	4/30/2003	11/21/2002
718	Jackson	5/13/2003	5/13/2003
658	Green Bay	5/21/2003	2/26/2004
573	Roanoke	6/3/2003	5/24/2003
577	Wilkes Barre	6/11/2003	11/20/2003
679	Des Moines	6/13/2003	11/21/2002
529	Louisville	6/13/2003	12/19/2002
612	Shreveport	6/18/2003	6/26/2003
789	Tucson	6/18/2003	7/31/2002
673	Columbus-Tupelo	7/2/2003	5/6/2004
546	Columbia	7/15/2003	11/6/2003
691	Huntsville	7/31/2003	3/20/2003
532	Albany	6/4/2004	11/6/2003
790	Albuquerque	6/4/2004	11/16/2000
716	Baton Rouge	6/4/2004	6/14/2006
542	Dayton	6/4/2004	12/3/2003
513	Flint MI	6/4/2004	12/17/2003
636	Harlingen	6/4/2004	3/11/2004
642	Lafayette	6/4/2004	6/14/2006
541	Lexington	6/4/2004	2/20/2003
828	Monterey-Salinas	6/4/2004	2/20/2003
652	Omaha	6/4/2004	1/16/2003
811	Reno	6/4/2004	9/18/2002
588	South Bend	6/4/2004	3/18/2004
881	Spokane	6/4/2004	12/12/2002
800	Bakersfield	6/10/2004	12/5/2003
801	Eugene	6/10/2004	10/02/2003
571	Ft Myers	6/10/2004	3/6/2003
566	Harrisburg	6/10/2004	9/26/2002
693	Little Rock	6/10/2004	7/2/2003
669	Madison	6/10/2004	11/6/2003
686	Mobile	6/10/2004	11/20/2003
500	Portland ME	6/10/2004	5/6/2004
855	Sta Barbara	6/10/2004	11/6/2003
671	Tulsa	6/10/2004	7/31/2002
678	Wichita	6/10/2004	11/20/2003
868	Chico Redding	6/17/2004	2/6/2003
676	Duluth	6/17/2004	4/22/2004
724	Fargo	6/17/2004	4/28/2004
632	Paducah	6/17/2004	4/30/2003
507	Savannah	6/17/2004	12/23/2003
530	Tallahassee	6/17/2004	5/29/2003
709	Tyler	6/17/2004	3/6/2003
550	Wilmington	6/17/2004	--
564	Charleston	6/24/2004	12/18/2003
600	Corpus Christi	6/24/2004	6/14/2006
765	El Paso	6/24/2004	4/15/2004
866	Fresno	6/24/2004	9/26/2002

Appendix B

Satellite Local-Into-Local Launch Dates

DMA #	DMA Name	DIRECTV	EchoStar
551	Lansing	6/24/2004	12/17/2003
813	Medford	6/24/2004	5/20/2004
538	Rochester	6/24/2004	4/8/2004
543	Springfield	6/24/2004	--
605	Topeka	6/24/2004	4/13/2004
810	Yakima	6/24/2004	10/9/2003
648	Champaign	10/12/2004	12/17/2003
574	Johnstown Altoona	10/12/2004	1/29/2004
547	Toledo	10/12/2004	6/17/2004
531	Tri-Cities	10/12/2004	2/19/2004
705	Wausau	10/12/2004	5/20/2004
757	Boise	10/19/2004	11/13/2003
509	Fort Wayne	10/19/2004	2/12/2004
545	Greenville-New Bern	10/19/2004	7/29/2004
722	Lincoln	10/19/2004	4/1/2004
555	Syracuse	10/19/2004	4/29/2004
637	Cedar Rapids	10/26/2004	1/30/2003
575	Chattanooga	10/26/2004	11/25/2003
649	Evansville	10/26/2004	12/11/2003
675	Peoria	10/26/2004	5/13/2004
619	Springfield MO	10/26/2004	11/13/2003
523	Burlington	11/2/2004	7/24/2002
604	Columbia-Jefferson	11/2/2004	4/13/2004
670	Fort Smith	11/2/2004	12/11/2003
625	Waco	11/2/2004	9/19/2002
540	Traverse City	11/9/2004	2/5/2004
519	Charleston SC	11/11/2004	7/22/2004
682	Davenport	11/11/2004	2/26/2004
725	Sioux Falls	11/11/2004	4/11/2003
536	Youngstown	11/11/2004	6/24/2004
743	Anchorage	1/8/2005	8/26/2003
745	Fairbanks	1/8/2005	6/30/2005
744	Honolulu	1/8/2005	6/28/2002
747	Juneau AK	1/8/2005	7/27/2005
596	Zanesville	1/8/2005	--
520	Augusta	3/16/2005	6/17/2004
503	Macon	4/6/2005	7/15/2004
702	La Crosse	5/25/2005	4/29/2004
570	Florence-Myr Bch	9/29/2005	7/8/2004
611	Rochester	12/28/2005	9/21/2006
610	Rockford	12/28/2005	5/20/2004
737	Mankato	3/22/2006	--
749	Laredo	Planned for 2007	--
537	Bangor	Planned for 2007	11/30/2006
692	Beaumont-Port Arthur	Planned for 2007	10/12/2006
754	Butte-Bozeman	Planned for 2007	11/30/2006
606	Dothan AL	Planned for 2007	11/23/2006
569	Harrisonburg	Planned for 2007	--
633	Odessa-Midland	Planned for 2007	9/21/2006
804	Palms Springs	Planned for 2007	11/1/2006

Note: Data as of 4/2/2007.

Appendix B

Satellite Local-Into-Local Launch Dates

DMA #	DMA Name	DIRECTV	EchoStar
662	Abilene	--	2/23/2005
525	Albany GA	--	6/10/2004
634	Amarillo	--	6/24/2004
756	Billings	--	3/3/2005
767	Casper	--	7/7/2005
584	Charlottesville	--	8/26/2004
759	Cheyenne	--	5/20/2004
598	Clarksburg	--	9/23/2004
516	Erie PA	--	5/19/2005
592	Gainesville	--	2/3/2005
773	Grand Junction	--	1/22/2004
755	Great Falls	--	7/27/2005
758	Idaho Falls	--	9/23/2004
603	Joplin	--	6/24/2004
651	Lubbock	--	10/13/2004
711	Meridian	--	12/16/2004
687	Minot-Bismarck	--	7/7/2005
762	Missoula	--	11/13/2003
628	Monroe	--	6/10/2004
698	Montgomery	--	7/22/2004
656	Panama City	--	9/23/2004
717	Quincy	--	6/10/2004
764	Rapid City	--	3/30/2005
661	San Angelo	--	8/17/2005
657	Sherman	--	12/11/2003
624	Sioux City	--	5/27/2004
581	Terre Haute	--	9/30/2004
760	Twin Falls	--	3/30/2005
627	Wichita Falls	--	7/15/2004
710	Hattiesburg-Laurel	--	--
522	Columbus GA	--	--
559	Bluefield-Beckley	--	--
746	Biloxi-Gulfport	--	--
576	Salisbury	--	--
771	Yuma	--	--
502	Binghamton	--	--
554	Wheeling-Steubenville	--	--
644	Alexandria	--	--
643	Lake Charles	--	--
553	Marquette	--	--
549	Watertown	--	--
565	Elmira	--	--
526	Utica	--	--
647	Greenwood-Greenville	--	--
734	Jonesboro	--	--
639	Jackson TN	--	--
736	Bowling Green	--	--
638	St Joseph	--	--
802	Eureka	--	--
597	Parkersburg	--	--

Appendix B

Satellite Local-Into-Local Launch Dates

<u>DMA #</u>	<u>DMA Name</u>	<u>DIRECTV</u>	<u>EchoStar</u>
631	Ottumwa-Kirksville	--	--
821	Bend	--	--
552	Presque Isle	--	--
766	Helena	--	--
582	Lafayette	--	--
558	Lima	--	--
626	Victoria	--	--
583	Alpena	--	--
740	North Platte	--	--
798	Glendive	--	--

Appendix C:

**List of 29 DMAs Where DIRECTV Does Not Provide
Satellite LIL Service and EchoStar Does Provide
the Service**

Appendix C

List of 29 DMAs Where DIRECTV Does Not Provide Satellite LIL Service and EchoStar Does Provide the Service

DMA Name	DIRECTV March 2007 Residential Active Subscribers	DIRECTV SD LIL Launch Date	EchoStar SD LIL Launch Date
Monroe LA-El Dorado AR	██████████	-	6/10/2004
Montgomery AL	██████████	-	7/22/2004
Minot-Bismarck-Dickinson ND	██████████	-	7/7/2005
Terre Haute IN	██████████	-	9/30/2004
Joplin MO-Pittsburg KS	██████████	-	6/24/2004
Amarillo TX	██████████	-	6/24/2004
Panama City FL	██████████	-	9/23/2004
Albany GA	██████████	-	6/10/2004
Sherman TX-Ada OK	██████████	-	12/11/2003
Erie PA	██████████	-	5/19/2005
Sioux City IA	██████████	-	5/27/2004
Gainesville FL	██████████	-	2/3/2005
Billings MT	██████████	-	3/3/2005
Wichita Falls TX-Lawton OK	██████████	-	7/15/2004
Meridian MS	██████████	-	12/16/2004
Missoula MT	██████████	-	11/13/2003
Great Falls MT	██████████	-	7/27/2005
Clarksburg-Weston WV	██████████	-	9/23/2004
Idaho Falls-Pocatello ID	██████████	-	9/23/2004
Quincy IL-Hannibal MO-Keokuk IA	██████████	-	6/10/2004
Abilene-Sweetwater TX	██████████	-	2/23/2005
Lubbock TX	██████████	-	10/13/2004
Rapid City SD	██████████	-	3/30/2005
Charlottesville VA	██████████	-	8/26/2004
Twin Falls ID	██████████	-	3/30/2005
Grand Junction-Montrose CO	██████████	-	1/22/2004
Casper-Riverton WY	██████████	-	7/7/2005
San Angelo TX	██████████	-	8/17/2005
Cheyenne WY-Scottsbluff NE	██████████	-	5/20/2004

Note: Data reflects 29 DMAs in which EchoStar has provided LIL for at least 1 year.

Appendix D:

List of 31 DMAs Where Neither DIRECTV Or EchoStar
Provide Satellite LIL Service