



11th Circuit Court Grants Stay to EchoStar

LITTLETON, Colo.--(BUSINESS WIRE)--Aug. 13, 2003--In a major victory for satellite TV subscribers, EchoStar Communications Corporation (Nasdaq:DISH) reported today that the U.S. Court of Appeals 11th Circuit Court in Atlanta granted EchoStar's motion to stay a District Court's injunction, pending appeal.

The court decision impacts a long-running case regarding the limits broadcasters can place on the right of consumers to receive CBS, Fox, ABC and NBC network channels by satellite from markets other than the city in which the consumer lives.

In June 2003, following a trial, the U.S. District Court for the Southern District of Florida denied the broadcasters' demands that consumers be prohibited from receiving their local network channels by satellite from EchoStar. The District Court also confirmed that EchoStar's existing procedures for qualifying subscribers for network channels comply with the law.

EchoStar requested the stay because it believes the lower court made numerous procedural and technical errors interpreting a new statute that would have resulted in many consumers wrongfully being denied distant network channels by satellite. The Court of Appeals order means that previously affected DISH Network customers will not lose access to their distant ABC, NBC, CBS or Fox channels at least until after the Court of Appeals reaches a decision on EchoStar's appeal. The Court ordered that all briefs on the appeal be completed by Oct. 17, 2003, and that an expedited oral hearing be scheduled thereafter.

If the Court of Appeals ultimately agrees with EchoStar that the lower Court's injunction was too broad and misinterpreted the statute, then the effect would be an increase in the ultimate number of consumers eligible to receive distant network TV channels. Among other things, broadcasters would be required to honor the rights of customers who were grandfathered under the Satellite Home Viewer Improvement Act passed by Congress in 1999 to receive distant network signals.

EchoStar Communications Corporation (Nasdaq:DISH) and its DISH Network provide satellite television entertainment services to 8.8 million U.S. customers. DISH Network provides advanced digital satellite television services to the home, including hundreds of video, audio and data channels, digital video recording, HDTV, international programming, professional installation and 24-hour customer service. EchoStar is included in the Nasdaq-100 Index (NDX) and is a Fortune 500 company. Visit EchoStar's DISH Network at www.dishnetwork.com or call 800-333-DISH (3474).

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