# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## Form 8-K

# CURRENT REPORT

Pursuant to Section 13 OR 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): December 4, 2020

#### DISH NETWORK CORPORATION

(Exact name of registrant as specified in its charter)

001-39144

(Commission File Number)

Nevada

(State or other jurisdiction of incorporation or organization)

9601 South Meridian Boulevard

Englewood, Colorado (Address of principal executive offices)

(303) 723-1000

(Registrant's telephone number, including area code)

Securities registered pursuant to Section 12(b) of the Act: Trading Symbol(s)

Title of each class

Class A common stock, \$0.01 par value

Name of each exchange on which registered

The Nasdaq Stock Market L.L.C.

## **DISH DBS CORPORATION**

DISH

(Exact name of registrant as specified in its charter)

333-31929

(Commission File Number)

Colorado

(State or other jurisdiction of incorporation or organization)

9601 South Meridian Boulevard Englewood, Colorado (Address of principal executive offices)

(303) 723-1000

(Registrant's telephone number, including area code)

Securities registered pursuant to Section 12(b) of the Act: None

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12) 

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b)) 

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company  $\Box$ 

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. 🗆

(Zip code)

84-1328967

(I.R.S. Employer Identification No.)

88-0336997

(I.R.S. Employer Identification No.)

80112 (Zip code)

80112

#### Item 8.01 Other Events.

As previously disclosed by DISH Network Corporation and DISH DBS Corporation (together, "we" or "us") in our public filings, including most recently in our annual reports on Form 10-K for the year ended December 31, 2019 and our quarterly reports on Form 10-Q for the quarter ended September 30, 2020, on March 25, 2009, our wholly-owned subsidiary DISH Network L.L.C. was sued in a civil action by the United States Attorney General and several states (the "Plaintiffs") in the United States District Court for the Central District of Illinois (the "District Court"), alleging violations of the Telephone Consumer Protection Act ("TCPA") and the Telemarketing Sales Rule ("TSR"), as well as analogous state statutes and state consumer protection laws. The Plaintiffs alleged that DISH Network L.L.C., directly and through certain independent third-party retailers and their affiliates, committed certain telemarketing violations.

On June 5, 2017, the District Court issued Findings of Fact and Conclusions of Law and entered Judgment ordering DISH Network L.L.C. to pay an aggregate amount of \$280 million to Plaintiffs. The District Court also issued a Permanent Injunction (the "Injunction") against DISH Network L.L.C. that imposes certain ongoing compliance requirements. On March 26, 2020, the United States Court of Appeals for the Seventh Circuit issued an opinion largely affirming DISH Network L.L.C.'s liability, but vacating and remanding the \$280 million damages award.

Thereafter, DISH Network L.L.C. and the Plaintiffs negotiated a settlement of the remanded damages award, and on December 4, 2020, the District Court entered the parties' stipulated order for monetary judgment in the total amount of \$210 million. Pursuant to the stipulated order for monetary judgment, DISH Network L.L.C. is required to pay the \$210 million monetary judgment on or before January 3, 2021. We had previously accrued for the Judgment, and this \$210 million payment will be applied to that accrual. The Injunction is not affected by the stipulated order for monetary judgment. DISH Network L.L.C. will dismiss its petition for writ of certiorari, filed on November 23, 2020, requesting that the United States Supreme Court agree to hear a further appeal arising from the Judgment. This matter is now resolved.

#### SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrants have duly caused this report to be signed on their behalf by the undersigned hereunto duly authorized.

DISH NETWORK CORPORATION DISH DBS CORPORATION

Date: December 4, 2020

By: /s/ Timothy A. Messner

Timothy A. Messner Executive Vice President and General Counsel