

MAY - 6 2005

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 02-M-0581

GREGORY C. LANGHAM  
CLERK

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
and DALE ALTON,

Plaintiffs,

v.

ECHOSTAR COMMUNICATIONS  
CORPORATION n/k/a DISH, LTD.,

Defendant.

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VERDICT

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Answer each of the following four questions:

1. On the Plaintiffs' claim of failure to administer employment tests in the most effective manner, we find in favor of: Plaintiffs.  
(Plaintiffs or Defendant)
2. On the Plaintiffs' claim of failure to provide reasonable accommodation in the application process, we find in favor of: Plaintiffs.  
(Plaintiffs or Defendant)
3. On the Plaintiffs' claim of failure to provide reasonable accommodation for Dale Alton to perform the duties of a CSR at Echostar, we find in favor of: Plaintiffs.  
(Plaintiffs or Defendant)
4. On the Plaintiffs' claim of denial of employment opportunities based on disability discrimination we find in favor of: Plaintiffs.  
(Plaintiffs or Defendant)

If you find in favor of the Plaintiffs on one or more of the previous questions, then answer the following questions.

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5. Did the Defendant's violation of the Americans with Disabilities Act cause Dale Alton lost wages and benefits? YES

Yes or No

If you answered "Yes," then state the amount of such damages. \$ 2000<sup>00</sup>

6. Did the Defendant's violation of the Americans with Disabilities Act cause other damages to Dale Alton as defined in the instructions?

YES

Yes or No

If you answered "Yes," then state the amount of such damages. \$ 5000<sup>00</sup>

If you find for the plaintiff on one or more of the claims, then answer this question.

7. Did Echostar act with malice or reckless indifference to Dale Alton's federally protected rights? YES

Yes or No

If you answered "Yes," then state the amount of punitive damages, if any, that you assess against Echostar Communications Corporation. \$ 8,000,000

Dated: 5/6/05

UNITED STATES DISTRICT COURT  
DENVER, COLORADO

MAY 9, 2005

GREGORY C. ANCHAM  
CLERK

Douglas M. Gray  
Presiding juror