

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

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In re:	)	Chapter 11
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PEGASUS SATELLITE TELEVISION, INC., et al.,	)	Case No. 04-20878
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)

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**CONSENTED TO ORDER SETTING FORTH BRIEFING SCHEDULE ON DEBTORS’  
SECOND OMNIBUS OBJECTION AND MOTION TO RECLASSIFY, REDUCE OR  
DISALLOW CLAIM OF ROBERT R. RUSSELL (CLAIM NUMBER 734)**

Upon consideration of the Debtors’ Second Omnibus Objection to and Motion to Reclassify, Reduce or Disallow Certain Claims Pursuant to 11 U.S.C. § 502(b), Bankruptcy Rule 3001 and 3007, and D. Me. LBR 3007-1 (the “Objection”),<sup>2</sup> pursuant to which the Debtors requested the entry of an order (the “Order”) reclassifying, reducing or disallowing certain claims including claim number 734 (the “Claim”) filed by Robert R. Russell (the “Claimant”, and together with the Debtors, the “Parties”), and after consideration of the statements of counsel made at the hearing thereon on March 24, 2005; and the Court finding that: (a) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (b) notice of the Objection was due and proper under the circumstances, (c) Claimant has timely responded to the Objection, and (d) the Debtors and the Claimant have agreed to a briefing schedule with respect to the threshold issue of

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1 The Debtors are: Argos Support Services Company, Bride Communications, Inc., B.T. Satellite, Inc., Carr Rural TV, Inc., DBS Tele-Venture, Inc., Digital Television Services of Indiana, LLC, DTS Management, LLC, Golden Sky DBS, Inc., Golden Sky Holdings, Inc., Golden Sky Systems, Inc., Henry County MRTV, Inc., HMW, Inc., Pegasus Broadcast Associates, L.P., Pegasus Broadcast Television, Inc., Pegasus Broadcast Towers, Inc., Pegasus Media & Communications, Inc., Pegasus Satellite Communications, Inc., Pegasus Satellite Television of Illinois, Inc., Pegasus Satellite Television, Inc., Portland Broadcasting, Inc., Primewatch, Inc., PST Holdings, Inc., South Plains DBS, LP., Telecast of Florida, Inc., WDSI License Corp., WILF, Inc., WOLF License Corp., and WTLH License Corp.

2 Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the Objection.

whether Civil Action No. M02K095, filed by the Claimant in the Magistrate Court of Chatham County in the state of Georgia and which forms the basis for the Claim (the “Underlying Action”) was properly filed within the applicable statute of limitations; and good and sufficient cause appearing therefore, and the Parties having consented to entry of this order; it is hereby:

ORDERED, that the Debtors shall file, on or before April 14, 2005, a motion for summary judgment with respect to the threshold issue of whether the statute of limitations applicable to the Underlying Action had expired before the Claimant filed the Underlying Action; and it is further

ORDERED, that the Parties, either through counsel or individually to the extent not represented by counsel, shall engage in a good faith effort to stipulate to all relevant facts and legal issues as to which there is no actual dispute. Counsel for the Debtors shall prepare a written stipulation, signed by counsel for the Debtors and the Claimant, in a form satisfactory to permit the document to be marked as an exhibit and offered in evidence at trial. All stipulations shall be filed with the Court no later than April 14, 2005; and it is further

ORDERED, that the Claimant shall have until May 4, 2005, to file a response to the Debtors’ summary judgment motion, and that the Debtors shall have until May 13, 2005 to file a reply to any such response; and it is further

ORDERED, that a hearing on the motion for summary judgment with respect to the timeliness of the Underlying Action shall be held on May 20, 2005; and it is further

ORDERED, that this Court reserves jurisdiction to (a) resolve any issue concerning implementation of this order, and (b) determine the treatment of the Claim once the

question of the timeliness of the Underlying Action is adjudicated, including making any determinations concerning the classification, priority and payment of said Claim; and it is further

ORDERED, that in the event the Court determines that the Underlying Action was properly filed in accordance with the applicable statute of limitations, the Debtors reserve all rights to object to the Claim on any other grounds, including any grounds set forth in the Objection; and it is further

ORDERED, that the Debtor and Claimant proceed forthwith to adjudicate the timeliness of the Underlying Action in accordance with this order.

Dated:

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UNITED STATES BANKRUPTCY JUDGE