

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

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

**CONSENTED TO STATEMENT OF FACTS IN CONNECTION WITH DEBTORS’
SECOND OMNIBUS OBJECTION AND MOTION TO RECLASSIFY, REDUCE OR
DISALLOW CLAIM OF ROBERT R. RUSSELL (CLAIM NUMBER 734)**

In accordance with the terms of that certain 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) (the “Consented Order”), and the Debtors and Robert R. Russell (the “Claimant,” and together with the Debtors, the “Parties”) having stipulated and agreed to the following facts solely for the purpose of determining whether Civil Action No. M02K095, originally filed by the Claimant in the Magistrate Court of Chatham County in the state of Georgia and which forms the basis for Claim Number 734 (the “Underlying Action”) was properly filed within the applicable statute of limitations, the Parties hereby stipulate as follows:²

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 While the parties agree and stipulate to the facts as set forth herein for the sole purpose of determining whether the Underlying Action was properly filed within the applicable statute of limitations, the inclusion of a particular fact is in no way meant to operate as an admission by

1. Claimant commenced employment with Golden Sky Systems, Inc. (“Golden Sky”) (a debtor herein and the defendant in the Underlying Action) in June of 1998.
2. Claimant was terminated from his employment with Golden Sky on or about October 7, 1998.
3. On or about April 21, 1999, the Claimant filed an appeal in the Superior Court of Effingham County, Georgia, Case No. 1E1999CV93, from a decision of the Georgia Department of Labor Board of Review which had denied unemployment benefits to the Claimant.
4. On or about September 29, 1999, Claimant sent a letter to Golden Sky (the “September 29, 1999 Letter”) requesting retraction of what Claimant alleged to have been past defamatory conduct.
5. Claimant filed the Underlying Action on October 4, 2002. The conduct that is the subject of the Underlying Action is the same conduct that was described in the September 29, 1999 Letter.

Dated: April 13, 2005

/s/ Robert R. Russell

Dated: April 13, 2005

/s/ Robert J. Keach
Counsel for Debtors

either party that such fact is in any way relevant to a determination by the Court as to the timeliness of the Underlying Action.

