

Hearing Date:
June 18, 2004 10:30 a.m.
PORTLAND

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:	)	Chapter 11
PEGASUS SATELLITE TELEVISION, INC., et al,	)	Case No. 04-20878 (JBH)
Debtors.	)	(Jointly Administered)
-----)	
PEGASUS SATELLITE TELEVISION, INC.,	)	Adversary Proceeding No.04-2064
ARGOS SUPPORT SERVICES COMPANY,)	
CARR RURAL TV, INC., DBS TELE-VENTURE,)	
INC., DIGITAL TELEVISION SERVICES OF)	
INDIANA, LLC, DTS MANAGEMENT, LLC,)	
GOLDEN SKY SYSTEMS, INC., HENRY	)	DIRECTV'S OBJECTIONS TO
COUNTY MRTV, INC., PEGASUS SATELLITE	)	CERTAIN DECLARATIONS FILED IN
TELEVISION OF ILLINOIS, INC.	)	SUPPORT OF PLAINTIFFS'
PRIMEWATCH, INC. AND SOUTH PLAINS	)	APPLICATION FOR A TEMPORARY
DBS, LP.,	)	RESTRAINING ORDER, OR, IN THE
	)	ALTERNATIVE, MOTION FOR
	)	PRELIMINARY INJUNCTION
Plaintiffs,)	
)	
v.)	
)	
NATIONAL RURAL TELECOMMUNICATIONS)	
COOPERATIVE, DIRECTV, INC., and)	
)	
B.R. PHILLIPS III, MICHAEL E. FINNEY, CLAY)	
R. CAMPBELL, CHARLES E. SHORT,)	
WILLIAM F. HODNETT, TERRY L. BRUNS,)	
MARK GLAESS, WILLIAM JOHNSON, GARY)	
VOIGT, GLENN ENGLISH, SHELDON C.)	
PETERSEN, BILL HEGMANN, JOHN C. METTS,)	
LUIS A. REYES, TREVOR R. BONNSTETTER,)	
BOB MARSHALL AND RICK VERGIN,)	
)	
Defendants.)	

Declarants Richard Barton (Ex. B), Bill Abbott (Ex. C), Christopher Thomas (Ex. D), Jon Shaver (Ex. R), and Christopher Thomas (Ex. S) are either Pegasus employees or Pegasus subscribers who claim to have called into DIRECTV's customer service department to inquire about various issues, including transferring service from Pegasus to DIRECTV. The statements made by these declarants are self-serving hearsay. Fed.R.Evid. 801. Indeed, they directly implicate the fundamental policy underlying the inadmissibility of hearsay evidence, particularly because they are made in the form of a declaration. The conversations that supposedly took place are taken out of context and incomplete, and there is no opportunity to question the declarants or the customer service representatives with whom they supposedly spoke. This testimony should not be considered by the Court as it is unreliable and there is no opportunity for DIRECTV to question or cross-examine any of these witnesses on the supposed events.

Dated: June 18, 2004

/s/ George J. Marcus
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