

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of )
DISH Network L.L.C., )
Complainant, )
v. ) File No. CSR-8367-P
The Madison Square Garden Company and )
MSG Holdings, L.P., )
Defendants )

ORDER

Adopted: October 26, 2012

Released: October 26, 2012

By the Senior Deputy Chief, Policy Division, Media Bureau:

1. On September 16, 2010, DISH Network L.L.C. ("DISH") filed a program access complaint (the "Complaint") against The Madison Square Garden Company and MSG Holdings, L.P. (collectively, the "Defendants").

1 See DISH Network L.L.C., Program Access Complaint, File No. CSR-8367-P (filed Sept. 16, 2010). The Complaint was filed against Madison Square Garden, Inc. and Madison Square Garden L.P., which have changed their names since the filing of the Complaint to The Madison Square Garden Company and MSG Holdings, L.P., respectively.

2 See DISH Network L.L.C. v. Madison Square Garden, Inc. et al., Order, 26 FCC Rcd 6729, 6731, ¶ 7 and 6733, ¶ 11 (MB 2011). The Media Bureau also dismissed Cablevision Systems Corp. as a Defendant. See id. at 6731, ¶ 7.

3 See DISH Network L.L.C., Discovery Request, File No. CSR-8367-P (filed May 16, 2011); Defendants, First Set of Requests for the Production of Documents, File No. CSR-8367-P (filed May 16, 2011).

4 See Joint Submission Regarding Discovery, File No. CSR-8367-P (filed Aug. 19, 2011) ("Joint Submission").

5 See Letter from William T. Lake, Chief, Media Bureau to Geoffrey M. Klineberg, Counsel for DISH, and Tara M. Corvo, Counsel for the Defendants, File No. CSR-8367-P (Aug. 26, 2011); DISH Network L.L.C. v. Madison Square Garden, Inc. et al., Order, 27 FCC Rcd 298 (MB 2011).

6 See Joint Submission at 1 ("The parties have agreed to defer the current pleading cycle until after the close of discovery. Following the completion of discovery, the parties will submit simultaneous opening and reply briefs. After the end of discovery, the parties will confer with one another and will propose to the Commission a mutually agreeable briefing schedule for those pleadings.").

prejudice.<sup>7</sup> The Motion states that DISH and the Defendants have reached a settlement of the claims made by DISH in the Complaint.<sup>8</sup>

2. Accordingly, **IT IS ORDERED** that the Motion to Dismiss filed by DISH Network L.L.C. on October 22, 2012 **IS GRANTED** and the Complaint **IS DISMISSED WITH PREJUDICE**.

3. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules.<sup>9</sup>

FEDERAL COMMUNICATIONS COMMISSION

Steven A. Broeckaert  
Senior Deputy Chief, Policy Division  
Media Bureau

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<sup>7</sup> See DISH Network L.L.C., Motion to Dismiss, File No. CSR-8367-P (filed Oct. 22, 2012).

<sup>8</sup> See *id.* at 1.

<sup>9</sup> 47 C.F.R. § 0.283.