

EHOSTAR COMMUNICATIONS CORP

Form 4

October 13, 2004

**FORM 4**

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
**MOSKOWITZ DAVID K**

2. Issuer Name and Ticker or Trading Symbol  
**EHOSTAR COMMUNICATIONS CORP [DISH]**

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Date of Earliest Transaction (Month/Day/Year)  
**10/11/2004**

Director  10% Owner  
 Officer (give title below)  Other (specify below)  
**EVP, Gen Counsel and Sec.**

**9601 SOUTH MERIDIAN BOULEVARD**

(Street)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

**ENGLEWOOD, CO 80120**

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
				(A) or (D)	Price		
				Code	V	Amount	
Class A Common Stock	10/11/2004		S <sup>(1)</sup>	44,500	D	\$ 33	449,470 D
Class A Common Stock	10/11/2004		S <sup>(1)</sup>	500	D	\$ 33.03	448,970 D
Class A Common Stock	10/11/2004		S <sup>(1)</sup>	5,000	D	\$ 33.04	443,970 D
Class A Common Stock	10/12/2004		S <sup>(1)</sup>	8,800	D	\$ 32.3	435,170 D

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Common Stock								
Class A Common Stock	10/12/2004	<u>S</u> (1)	1,100	D	\$ 32.31	434,070	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	4,700	D	\$ 32.4	429,370	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	7,200	D	\$ 32.5	422,170	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	9,300	D	\$ 32.55	412,870	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	9,900	D	\$ 32.6	402,970	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	600	D	\$ 32.62	402,370	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	16,200	D	\$ 32.65	386,170	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	4,100	D	\$ 32.66	382,070	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	100	D	\$ 32.67	381,970	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	900	D	\$ 32.68	381,070	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	20,100	D	\$ 32.75	360,970	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	100	D	\$ 32.83	360,870	D	
Class A Common Stock	10/12/2004	<u>S</u> (1)	16,900	D	\$ 32.9	343,970	D	
Class A Common Stock						17,333	I	<u>I</u> (2)

Class A Common Stock	8,184	I	I <sup>(3)</sup>
Class A Common Stock	1,328	I	I <sup>(4)</sup>
Class A Common Stock	32,984	I	I <sup>(5)</sup>

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Nu Deriv Secur Bene Own Follo Repo Trans (Instr
						Date Exercisable	Expiration Date	Title	Amount or Number of Shares
						Code	V (A) (D)		

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
MOSKOWITZ DAVID K 9601 SOUTH MERIDIAN BOULEVARD ENGLEWOOD, CO 80120	X		EVP, Gen Counsel and Sec.	

## Signatures

David K.  
Moskowitz 10/13/2004

\*\*Signature of Reporting Person Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) The sales reported in this Form 4 were effected pursuant to a Rule 10b5-1 trading plan.

(2) By 401(k) Plan.

(3) The shares are held by the reporting person in trust for the benefit of the children of Charles W. Ergen, the Chief Executive Officer of the Company. The reporting person disclaims beneficial ownership of the shares.

(4) The shares are held by the reporting person as custodian for his minor children.

The shares were contributed by the reporting person to a charitable foundation. The reporting person is a member of the board of directors  
(5) of the charitable foundation and has both investment control and voting power with respect to the shares. The reporting person disclaims beneficial ownership of the shares.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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