

EchoStar CORP
Form 4
November 07, 2008

FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

OMB APPROVAL

OMB Number: 3235-0287
Expires: January 31, 2005
Estimated average burden hours per response... 0.5

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

(Last) (First) (Middle)

90 INVERNESS CIRCLE EAST

(Street)

ENGLEWOOD, CO 80112

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol
EchoStar CORP [SATS]

3. Date of Earliest Transaction (Month/Day/Year)
11/05/2008

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

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)

6. Individual or Joint/Group Filing(Check Applicable Line)

Form filed by One Reporting Person
 Form filed by More than One Reporting Person

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) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
| Class A Common Stock | 11/05/2008 | | M ⁽¹⁾ | 24,000 A | \$ 5.07 49,448 ⁽²⁾ | D | |
| Class A Common Stock | 11/05/2008 | | S ⁽¹⁾ | 24,000 D | \$ 18.42 25,448 ⁽²⁾ ⁽³⁾ | D | |
| Class A Common Stock | | | | | 3,543 | I | I ⁽⁴⁾ |
| Class A Common Stock | | | | | 6,000 | I | I ⁽⁵⁾ |

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 transactions reported on this Form 4 were effected pursuant to a Rule 10b5-1 trading plan.

(2) Includes shares acquired under the Company's Employee Stock Purchase Plan.

Based upon a weighted average sale price. The shares reported in this transaction were sold at prices ranging between \$18.16 and \$18.71.

(3) Information regarding the number of shares sold at each separate price will be made available upon request by the staff of the Securities and Exchange Commission, the Company, or a security holder of the Company.

(4) By 401(k).

(5) The shares are held by a charitable foundation. The reporting person is a member of the Board of Directors for the charitable foundation and has both investment control and voting power for the foundation. The reporting person disclaims beneficial ownership of the shares.

(6) 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.

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

(8) The shares underlying the option were 100% vested on the date of grant. The option was issued in connection with the spin-off of DISH Network Corporation's technology and certain infrastructure assets effective on January 1, 2008.

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

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.