

FIXED WIRELESS PRIVACY NOTICE

This Fixed Wireless Privacy Notice (this “**Notice**”) describes Gamma Acquisition L.L.C.’s (“**DISH**”) privacy practices and certain aspects of your relationship with DISH. Be sure to read this Notice carefully, as it contains important information regarding your rights and DISH’s. For clarity, this Notice applies only to the Service and not to other services provided by DISH and/or DISH’s affiliates (including, without limitation, DISH Network L.L.C.’s video programming services).

The kind of information that this notice applies to

This Notice applies to personally identifiable information that you have furnished to DISH, or that DISH has collected from you, in connection with DISH’s provision of and your use of the Service. Personally identifiable information is information that identifies a particular person; it does not include aggregate data that does not identify a particular person or persons.

The kind of personally identifiable information that DISH collects

DISH may collect personally identifiable information concerning any subscriber for the following purposes:

- in order to obtain information necessary to provide the Service; and
- to detect unauthorized access to the Service.

In order to provide reliable, high quality service to you, DISH keeps regular business records containing information about you that may constitute personally identifiable information. These records generally include the following information: your name, service address, billing address, e-mail addresses, telephone numbers, social security number, bank account number, credit card numbers and other similar account information.

DISH may also collect and maintain other information about your account, such as billing and payment history, service information, customer correspondence and communications records, records indicating the amount of data you have used and the service options you have chosen. DISH may also collect information about you when you communicate with DISH about, among other things, support, maintenance and billing, send DISH e-mails, respond to DISH’s surveys, engage in chat sessions with DISH’s representatives, register for information or participate in promotions or contests. Additionally, if you rent your residence, DISH may have a record of whether landlord permission was required prior to installing equipment as well as your landlord’s name and address.

DISH may also collect technical information about your computer hardware, software, modem and/or other service-related devices and customization settings and preferences.

DISH may also combine your personally identifiable information, with personally identifiable information obtained from third parties for the purpose of creating enhanced databases or business records

and DISH may use these databases and these business records in marketing and other activities related to the Service and other services.

The ways that DISH uses personally identifiable information

DISH collects, maintains, and uses personally identifiable information primarily to conduct business activities related to providing you with the Service and other services, and to help DISH detect theft of the Service. Generally speaking, DISH uses personally identifiable information in connection with billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations and fraud prevention. DISH also uses personally identifiable information to:

- install, operate, provide and maintain the Service and other services;
- confirm you are receiving the level(s) of service requested and are properly billed;
- identify you when changes are made to your account or services;
- inform you of new products or services that may be of interest to you;
- understand the use of, and identify improvements to, DISH's services;
- detect unauthorized access to the Service;
- determine whether applicable policies and terms of service are being violated;
- configure devices related to the Service;
- comply with law; and
- as otherwise necessary to provide the Service.

Disclosure of personally identifiable information to others

DISH considers the personally identifiable information contained in DISH's business records to be confidential. DISH may, however, disclose personally identifiable information concerning any subscriber for the following purposes if the disclosure is:

- necessary to render, or conduct a legitimate business activity related to, the Service or other services provided to the subscriber;
- required by law or legal process (as described below in this notice); or
- of the names and addresses of subscribers for "mailing list" or other purposes (subject to each subscriber's right to prohibit or limit this disclosure as described below in this notice).

DISH may disclose personally identifiable information when it is necessary to render, or conduct a legitimate business activity related to, the Service. Generally, these disclosures involve billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations and fraud prevention. DISH may also collect, use and disclose information about you in non-personally identifiable or aggregate formats, such as ratings surveys and service usage and other statistical reports, which do not personally identify you, your particular viewing habits or the nature of any transaction you have made via the Service. The frequency of any disclosure of personally identifiable information varies in accordance with DISH's business needs and activities.

DISH may disclose your name and address to others, such as charities, marketing organizations or other businesses, for “mailing list” or other purposes. Any “mailing list” and related disclosures that DISH may make are limited to disclosures of subscriber names and addresses where the disclosures do not reveal, directly or indirectly, (i) the extent of any use by the subscriber of a service provided by us; or (ii) the nature of any transaction made by the subscriber via the Service.

DISH may disclose personally identifiable information about you to its affiliates and to others who work for or provide services to DISH, such as outside auditors, professional advisors, service providers and vendors, potential business merger, acquisition, or sale partners and regulators when the disclosure is necessary to render, or conduct a legitimate business activity related to the Service or other services DISH provides to you. DISH also may be required by law or legal process to disclose certain personally identifiable information about you to lawyers and parties in connection with litigation and to law enforcement personnel or to third parties such as, charities, marketing organizations, or other businesses, in connection with disclosures made for “mailing list” or other purposes as described above in this notice.

If DISH (or DISH’s parent company) enters into a merger, acquisition, or sale of all or a portion of DISH’s assets, in most instances DISH’s subscribers’ personally identifiable information will be one of the items transferred as part of the transaction.

Limiting DISH’s use and disclosure of personally identifiable information

You have the right at any time to prohibit or limit disclosure of your personally identifiable information for “mailing list” purposes as described above in this notice by contacting DISH by telephone at 800-333-DISH (3474). If you prefer to contact DISH in writing, you may send a written request to DISH, Attn: CSS/PRIVACY, PO Box 6633, Englewood, CO 80112. Be sure to include your name and address and your account number. The written request should be signed by the person who is identified in DISH’s billing records as the subscriber. If you have a joint account, a request by one party will apply to the entire account. If you have multiple accounts, your notice must separately identify each account covered by the request.

When DISH is required to disclose personally identifiable information by law

DISH may be required by law to disclose personally identifiable information about you without your consent and without notice in order to comply with a valid legal process such as a subpoena, court order or search warrant.

DISH may also use or disclose personally identifiable information about you without your consent to protect DISH’s customers, employees, or property, in emergency situations and to enforce DISH’s rights under DISH’s terms of service and policies, in court or elsewhere.

Protection of personally identifiable information

DISH follows industry-standard practices to take such actions as are necessary to prevent unauthorized access to personally identifiable information by a person other than the subscriber or DISH. However,

DISH cannot guarantee that these practices will prevent every unauthorized attempt to access, use or disclose personally identifiable information.

Maintaining personally identifiable information

DISH maintains personally identifiable information about you in DISH's regular business records while you are a subscriber to the Service or other services. DISH also maintains this information for a period of time after you are no longer a subscriber if the information is necessary for the purposes for which it was collected or to satisfy legal requirements. These purposes typically include business, legal or tax purposes. If there are no pending requests, orders or court orders for access to this personally identifiable information, DISH will destroy the information after it is no longer necessary for the purposes for which it was collected.

Examining personally identifiable information

You may examine your personally identifiable information that DISH collects and maintains in DISH's regular business records. In most cases, the personally identifiable information contained in these records is billing and account information. If you wish to obtain a copy of the information, please mail a written notarized request for a copy of your personally identifiable information to DISH, Attn: CSS/PRIVACY, PO Box 6633, Englewood, CO 80112, giving DISH a reasonable period of time to locate and prepare the information for your review. All requests must include your account number. DISH will mail the information to you at your current billing address. You will only be permitted to request records that contain personally identifiable information about you and no one else. In order to protect you and ensure that the request is being made by the true person to whom the information pertains, DISH will only process notarized requests. You will be provided a reasonable opportunity to correct errors if any of the personally identifiable information is inaccurate.

Changes to this Notice

DISH may modify this Notice from time to time and at any time in its sole discretion by posting a modified version of this Notice on www.dish.com/legal.