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FILED
OCT - 5 2005

6 Attorneys For Plaintiff
EAGLE BROADBAND, INC.

KIRI TORRE
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY Clark Sakai DEPUTY
RF 200502100850

7
8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SANTA CLARA

TL \$299,50
Ch. \$299,50

10
11 EAGLE BROADBAND, INC.,)
12 Plaintiff,)
13 vs.)
14 DOES 1 through 25, inclusive,)
15 Defendants.)
16

CASE NO. 105CV050179
COMPLAINT FOR UNFAIR
BUSINESS PRACTICES AND
DEFAMATION

BY FAX

Gordon & Rees LLP
Embarcadero Center West
275 Battery Street, Suite 2000
San Francisco, CA 94111

17 Plaintiff EAGLE BROADBAND, INC. (hereinafter referred to as "Plaintiff" or "Eagle
18 Broadband"), by and through its attorneys, allege for its Complaint against Defendants Does 1-
19 25 upon information and belief, except with respect to itself, as follows:

20 INTRODUCTION

21 This is an action for unfair business practices and defamation. Defendants, who are
22 certain unidentified individuals and/or entities, acting alone or in concert with others, have
23 deliberately engaged in relentless misinformation campaigns in an effort to denigrate Plaintiff's
24 business in order to reap profits for themselves. In short, Plaintiff has fallen victim to organized,
25 Internet-based stock market manipulation schemes, which have included, among other activities,
26 posting false and misleading information about the financial health and corporate activities of
27 Eagle Broadband on widely visited financial Internet message boards in order to deflate the price
28 of Eagle Broadband stock and reap illegal gains from short sales. Plaintiff brings this action to

1 enjoin these individuals and/or entities from continuing this illegal conduct as well as to seek the
2 full measure of damages and other remedies permitted by law.

3 **PARTIES AND JURISDICTION**

4 1. Plaintiff Eagle Broadband is a corporation duly organized and existing under the
5 laws of the State of Texas, with its principal place of business in League City, Texas. Eagle
6 Broadband is authorized to and does business within the State of California. Plaintiff's stock is
7 listed and publicly traded on the American Stock Exchange ("AMEX").

8 2. Plaintiff is a leading provider of advanced broadband, Internet Protocol (IP) and
9 communications technology and services that create new revenue opportunities for broadband
10 providers and enhance communications for government, military and enterprise customers.

11 3. Plaintiff is unaware of the true names or capacities of the defendants sued herein
12 under the fictitious names Does 1-25, inclusive (also referred to as "Defendants"), and Plaintiff
13 therefore sues said Defendants by such fictitious names pursuant to Section 474 of the California
14 Code of Civil Procedure. Each Defendant is known to Plaintiff only by an Internet user name
15 used on the date and time at which the illegal activity of each Defendant was observed.

16 4. Plaintiff is informed and believes, and thereon alleges, that Defendant DOE 1 is
17 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
18 but who employs the Internet user name "advanced_headlines" and who participated in some
19 manner in the acts complained herein. Plaintiff will seek leave of court to amend this Complaint
20 to allege such name and capacity once it is ascertained.

21 5. Plaintiff is informed and believes, and thereon alleges, that Defendant DOE 2 is
22 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
23 but who employs the Internet user name "team_3339" and who participated in some manner in
24 the acts complained herein. Plaintiff will seek leave of court to amend this Complaint to allege
25 such name and capacity once it is ascertained.

26 6. Plaintiff is informed and believes, and thereon alleges, that Defendant DOE 3 is
27 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
28 but who employs the Internet user name "upanddown100" and who participated in some manner

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1 in the acts complained herein. Plaintiff will seek leave of court to amend this Complaint to
2 allege such name and capacity once it is ascertained.

3 7. Plaintiff is informed and believes, and thereon alleges, that Defendant DOE 4 is
4 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
5 but who employs the Internet user name "richwill21" and who participated in some manner in
6 the acts complained herein. Plaintiff will seek leave of court to amend this Complaint to allege
7 such name and capacity once it is ascertained.

8 8. Plaintiff is informed and believes, and thereon alleges, that Defendant DOE 5 is
9 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
10 but who employs the Internet user name "benderanddundat" and who participated in some
11 manner in the acts complained herein. Plaintiff will seek leave of court to amend this Complaint
12 to allege such name and capacity once it is ascertained.

13 9. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 6 is
14 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
15 but who employs the Internet user name "phil_phd2003" and who participated in some manner
16 in the acts complained herein. Plaintiff will seek leave of court to amend this Complaint to
17 allege such name and capacity once it is ascertained.

18 10. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 7 is
19 an individual and/or entity, whose true identity and capacity is presently unknown to Plaintiff,
20 but who employs the Internet user name "bubba2o" and who participated in some manner in the
21 acts complained herein. Plaintiff will seek leave of court to amend this Complaint to allege such
22 name and capacity once it is ascertained.

23 11. Plaintiff is informed and believes, and thereon alleges, that many of the acts
24 complained of herein occurred in every jurisdiction in the United States, including this one. In
25 addition, Plaintiff is informed and believes, and thereon alleges, that each Defendant contracted
26 with an Internet Service Provider found in this County to provide each Defendant with the access
27 to the Internet which facilitated Defendants' illegal activities, causing Plaintiff to suffer damages
28 in excess of the jurisdictional minimum of this Court.

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1 12. Plaintiff believes that information obtained in discovery will lead to the
2 identification of each Defendant's true name. Plaintiff will amend this complaint to allege their
3 true names and capacities when ascertained. Plaintiff is informed and believes, and on that basis
4 alleges, that each of these fictitiously named Defendants is responsible in some manner for the
5 occurrences herein alleged and that Plaintiff's damages as alleged herein were proximately
6 caused by those Defendants.

7 GENERAL ALLEGATIONS

8 13. Internet-based stock manipulation schemes are both common and increasing.
9 These types of schemes often target smaller technology companies and such schemes rely on the
10 dissemination of public misinformation coupled with illegal stock trading and other market
11 manipulation schemes in an attempt to impact price movements in the marketplace. The net
12 effect can be devastating to the share price and overall financial performance of a targeted
13 company as such negative statements and activities undermine public confidence in the
14 company, driving customers and shareholders away, and lowering the value of the stock.

15 14. These Internet-based stock manipulation schemes ordinarily are carried out in two
16 interrelated ways: (1) public misinformation campaigns against the target company; and (2)
17 illegal short selling of the target company's stock. The illegal traders purposefully publish false
18 and damaging information about a company so as to create an opportunity to conduct a profitable
19 short sale. Generally speaking, in a short sale, a person borrows stock and sells it, betting that
20 the share price will go down so that the trader can cover the short sale with shares at a cheaper
21 price and pocket the difference.

22 15. Activity on various public Internet message boards for Eagle Broadband such as
23 Yahoo! Finance, Raging Bull and others indicate that Plaintiff is a victim of market manipulation
24 schemes designed to significantly damage Plaintiff's business by influencing retail investor
25 confidence and sentiment and drive down Plaintiff's stock price in order to reap the profits
26 resulting from short sales. Such activities include but are not limited to the following:

- 27 (a) Although Eagle Broadband rarely appears on the AMEX most-active list
28 for trading, Eagle Broadband is routinely in the top five on Yahoo! for

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message board activity;

- (b) The sheer volume of postings – approximately 23,000 postings a month, the majority of which contain negative or derogatory information about the company and are posted by many of the same people 24 hours a day, 7 days a week– indicate that these Internet posters stand to benefit positively by depressing the value of Eagle Broadband stock.
- (c) The number of postings has increased over time along with the popularity of these types of market manipulation schemes. Approximately 60,000 messages were posted on the Yahoo! Finance message board from 2/17/00 to 11/01/03. Since 11/01/03, the Eagle Broadband message board has seen an enormous spike in postings, over 500,000 in approximately one year. Such frequency indicates that these posters are organized and may have significant financial backing.
- (d) Given the normal daily price variation range of Eagle Broadband stock is \$0.01-\$0.03, the profit incentive for short selling exists.
- (e) Short interest in Eagle Broadband stock has coincided with the increase of posting activity on various Internet message boards. Defendants, therefore, have an interest in ensuring that the price of Eagle Broadband’s common stock remain depressed.

16. The Yahoo! Finance message board contains many specific incidences of postings of false information that have had a negative impact on Plaintiff’s business. For example, on June 10, 2005, DOE 4, only known as “richwill21,” posted a fabricated press release purportedly issued by Eagle Broadband announcing that the company had been deleted from the Russell 3000 Index due to poor performance and business failures, including a fictitious quote from the company’s Chief Executive Officer. The posting had the “look and feel” of an official company press release but Plaintiff never issued such a press release, nor was Plaintiff ever delisted from the Russell 3000 Index. Attached hereto as Exhibit A is a true and correct copy of the June 10, 2005 posting. Plaintiff is informed and believes, and thereon alleges, that DOE 4, otherwise known as “richwill21,” deliberately posted a fake press release in order to have a negative impact on Eagle Broadband’s financial success.

17. On February 15, 2005 at 8:53 a.m., DOE 2, only known as “team_3339,” posted a forged email exchange between him/herself and a purportedly high level representative of Alltel Corporation, a company doing business with Eagle Broadband. In that purported email

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1 exchange, the high ranking Alltel Corporation representative stated that Alltel does not do
2 business with Plaintiff. This purported "email exchange" never occurred and the statements
3 made therein are false. Attached hereto as Exhibit B is a true and correct copy of the February
4 15, 2005 posting.

5 18. Plaintiff is informed and believes, and thereon alleges, that DOE 1, otherwise
6 known as "team_3339" deliberately posted a forged email exchange with a major Eagle
7 Broadband partner in order to have a negative impact on Eagle Broadband's business. In fact, on
8 the day the false and misleading email was posted, Eagle Broadband's share price dropped from
9 \$0.45 to \$0.41.

10 19. On July 12, 2005, DOE 1, only known as "advanced_headlines," posted a
11 fabricated news article on the Yahoo! Finance message board falsely stating in the headline that
12 "Eagle To File Bankruptcy APF News." The fraudulent news article contained a byline: "APF
13 Reports Michelle Verdani" and stated "Houston area broadband firm to file Chapter 11." This
14 statement was false. Not only was there no such news report, but Plaintiff has not filed for any
15 type of bankruptcy protection. Attached hereto as Exhibit C is a true and correct copy of the July
16 12, 2005 posting.

17 20. Plaintiff is informed and believes, and thereon alleges, that DOE 1, otherwise
18 known as "advanced_headlines," deliberately posted a fraudulent news article to harm Plaintiff's
19 business by artificially lowering the price of the stock. In fact, on the day the fabricated news
20 article was posted, Eagle Broadband's shares opened that day at \$0.25, and closed later that day
21 at \$0.24, a four percent decrease.

22 21. On July 25, 2005, DOE 1, only known as "advanced_headlines," posted yet
23 another fabricated press release on the Yahoo! Finance message board falsely stating that Eagle
24 Broadband had filed for Chapter 7 bankruptcy protection and that "full liquidation in progress."
25 Not only was no such press release issued, but the statements contained therein were blatant
26 misrepresentations. Attached hereto as Exhibit D is a true and correct copy of the July 25, 2005
27 posting.

28 22. Plaintiff is informed and believes, and thereon alleges, that DOE 1, otherwise

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1 known as "advanced_headlines," deliberately posted a false news article to adversely affect
2 Eagle Broadband's ability to compete in the marketplace. In fact, on the day the fabricated news
3 article appeared, Eagle Broadband's stock opened at \$0.22 a share, dipped to \$0.19 several days
4 later and closed at the end of the week at \$0.20.

5 23. On September 1, 2005, DOE 6, only known as "phil_phd2003," posted a
6 fabricated transcription of a purported conversation he/she had with Frederick Reynolds, the
7 investor relations contact for Eagle Broadband. In his/her post, "phil_phd2003" states that "FR
8 said he does not and will not own any shares!" This statement is false. Not only did this
9 conversation never transpire, but Frederick Reynolds owns Eagle Broadband stock. Attached
10 hereto as Exhibit E is a true and correct copy of the September 1, 2005 posting.

11 24. Plaintiff is informed and believes, and thereon alleges, that DOE 6, otherwise
12 known as "phil_pdh2003," deliberately posted false information on the Yahoo! Finance message
13 board, including but not limited to the false statement in Paragraph 23, to undermine public
14 confidence in Eagle Broadband for the purpose of manipulating the stock market, and decreasing
15 the price of the stock in an effort to severely harm Plaintiff's business.

16 25. On July 12, 2005 and July 13, 2005 respectively, DOE 2, only known as
17 "team_3339," struck again and posted two false and misleading statements about the potential
18 sale of Eagle Broadband's MediaPro set-top box products to On Command and Samsung. In this
19 second round of attacks by DOE 2 against the core of Plaintiff's business, DOE 2 writes "Direct
20 From On Command/Samsung" and attached purported "official" statements from On Command
21 and Samsung giving the false impression that On Command and Samsung had announced that
22 they will not purchase Eagle Broadband's MediaPro set-top box products. No such statements
23 were made. Attached hereto as Exhibits F and G are true and correct copies of the July 12, 2005
24 and July 13, 2005 postings.

25 26. Plaintiff is informed and believes, and thereon alleges, that DOE 2, otherwise
26 known as "team_3339," deliberately posted false and misleading information concerning Eagle
27 Broadband's purported inability to sell a key product line essential to its business on the Yahoo!
28 Finance message board to undermine public confidence in Eagle Broadband, unfairly compete in

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1 the marketplace, and depress the price of Eagle Broadband stock. In fact, on the day the
2 fabricated posting was made, Plaintiff's stock opened at \$0.25 and later closed at \$0.24, a four
3 percent drop in price. The following week, the impact of the post continued, and the stock price
4 decreased by another two cents a share.

5 27. On January 24, 2005, DOE 5, only known as "benderanddundat," posted a
6 fabricated announcement that "Change at Eagle is Coming" and that Eagle Broadband was
7 suffering from continued financial losses causing the share price to drop and encouraging others
8 to "share their positions long...then go short to make some of your money back...." Attached
9 hereto as Exhibit H is a true and correct copy the January 24, 2005 posting.

10 28. Plaintiff is informed and believes, and thereon alleges, that DOE 5, otherwise
11 known as "benderanddundat," deliberately posted false and misleading information concerning
12 Plaintiff's purported inability to sell a key product line essential to its business on the Yahoo!
13 Finance message board to undermine public confidence in Eagle Broadband, compete unfairly in
14 the marketplace, and depress the price of the stock through illegal market manipulation. In fact,
15 on the day the fabricated posting was made, Eagle Broadband's stock opened at \$0.56 and later
16 closed at \$0.51.

17 29. On September 3, 2004, DOE 3, only known as "upanddown100," posted a forged
18 SEC filing Form 144 indicating that "Cubley files 144 to sell 815,933 shares." No such trade
19 was ever accomplished and no SEC Form 144 filing occurred on this date. Attached hereto as
20 Exhibit I is a true and correct copy of the September 3, 2004 posting.

21 30. Plaintiff is informed and believes, and thereon alleges, that DOE 3, otherwise
22 known as "upanddown100," deliberately posted false and misleading information concerning the
23 trading activity of Dr. H. Dean Cubley, the company's then Chief Technology Officer on the
24 Yahoo! Finance message board to undermine public confidence in Eagle Broadband for the
25 purpose of unfairly competing by manipulating the stock market to depress the price of Eagle
26 Broadband stock with the intention of harming Plaintiff's business.

27 31. On August 22, 2005, DOE 7, only known as "bubba2o," posted a fabricated quote
28 that was purportedly taken from a Form 8-K indicating that "We are heading directly towards a

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1 reverse split." No such statement was ever made by Eagle Broadband and no Form 8-K filed by
2 Eagle Broadband contained such a statement. Attached hereto as Exhibit J is a true and correct
3 copy of the August 22, 2005 posting.

4 32. Plaintiff is informed and believes, and thereon alleges, that DOE 7, otherwise
5 known as "bubba2o," deliberately posted false and misleading information on the Yahoo!
6 Finance message board including, but not limited to the fabricated quote in Paragraph 31, to
7 undermine public confidence in Eagle Broadband for the purpose of unfairly competing by
8 manipulating the stock market to depress the price of Eagle Broadband stock with the intention
9 of harming Plaintiff's business.

10 33. Plaintiff is informed and believes, and thereon alleges, that Eagle Broadband's
11 stock price fell because DOES 1-25 intentionally posted false information about Plaintiff's core
12 business and technology on various Internet message boards in an attempt to damage Eagle
13 Broadband by manipulating the market and depressing the price of the stock in order to make a
14 profit on short sales.

15 34. Plaintiff is informed and believes, and thereon alleges, that unusual patterns of
16 trading activity of Plaintiff's stock indicate a market manipulation scheme by these Defendants.
17 Such activities include, but are not limited to:

- 18 (a) Numerous limit orders placed *above* the ask price, which are not
 - 19 processed;
 - 20 (b) Frequent price closing at daily low on very low volume (100, 200 share
 - 21 lots)
 - 22 (c) Small trades at open to produce artificial high prices, thus contributing to
 - 23 the low close;
 - 24 (d) Large blocks placed at the ask which are removed whenever buy interest
 - 25 increases;
 - 26 (e) Small, successive trades at bid (100 share lots, approximately 1 per
 - 27 second) to stimulate larger block sales and lowering of bid and ask prices;
 - 28 (f) Since September 2004, Eagle Broadband stock has experienced a
- prevalent pattern of large holding blocks at bid and ask.

1 35. Plaintiff is informed and believes, and thereon alleges, that in or about May 2004,
 2 an unidentified female holding herself out as a broker, contacted a large number of shareholders
 3 of Eagle Broadband stock to ask if they would "pledge" their shares in an effort to help cover a
 4 large naked short position. The shareholders were offered financial incentive in return for their
 5 pledge. Among those contacted were Eagle Broadband insiders, including Dr. H. Dean Cubley,
 6 then acting Chief Technology Officer of the company.

7 36. As the above stock trading patterns indicate, Defendants' conduct has
 8 successfully hurt Eagle Broadband's stock value and business. As a direct result of the
 9 devaluation of Eagle Broadband's stock price, Eagle Broadband has suffered monetary damages
 10 in an amount to be proven at trial.

11 **FIRST CAUSE OF ACTION**

12 **For Violation of Business and Professions Code §§ 17200 *et seq.* and §§ 17500 *et seq.***

13 **Against All Defendants**

14 37. Plaintiff re-alleges and incorporates by reference paragraphs 1-36 as though fully
 15 set forth herein.

16 38. As described above, Defendants have and continue to engage in a deliberate
 17 campaign to severely damage Plaintiff's stock value and business, by among other things,
 18 posting false and misleading information over the Internet about Plaintiff's business in order to
 19 manipulate the stock market and deflate Plaintiff's stock price.

20 39. Such acts constitute unlawful, unfair, and fraudulent business acts and practices
 21 prohibited by Business and Professions Code sections 17200 *et seq.*

22 40. As a direct and proximate result of Defendants' illegal activities, Plaintiff has
 23 suffered damages in an amount to be proven at trial.

24 **SECOND CAUSE OF ACTION**

25 **Defamation of Eagle Broadband Against All Defendants**

26 41. Plaintiff re-alleges and incorporates by reference paragraphs 1-40 as though fully
 27 set forth herein.

28 42. Defendants' postings, as described above, are false.

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1 43. These postings were seen and read, and continue to be seen and read, by persons
2 who reside throughout the country and the world, as these messages are available to the public
3 over the Internet.

4 44. As a proximate result of the above described publications, Eagle Broadband has
5 suffered a loss to its business reputation and good will, which has resulted in considerable
6 financial loss to the company and depletion of the value of its stock.

7 45. The above described messages were published by Defendants with malice, fraud
8 and/or oppression in that Defendants knowingly and falsely fabricated corporate documents and
9 passed them off to readers of the Internet as official statements from the company or interested
10 third parties. Accordingly, Plaintiff is entitled to an award of punitive damages.

11 WHEREFORE, Plaintiff prays for judgment against each Defendant as follows:

- 12 1. For compensatory, special and punitive damages in an amount to be proven at trial;
- 13 2. For restitution for benefits unfairly obtained by Defendants;
- 14 3. For preliminary and permanent injunctions prohibiting Defendants from making
15 false and misleading statements of material facts about any aspect of Plaintiff's
16 business;
- 17 4. For Plaintiff's reasonable attorneys' fees and costs incurred herein; and
- 18 5. For such other and further relief as the Court may deem just and proper.

19
20 Dated: October 5, 2005

GORDON & REES LLP

21
22 By *Karineh Khachatourian* /JR
23 KARINEH KHACHATOURIAN
24 Attorneys for Plaintiff
25 EAGLE BROADBAND, INC.
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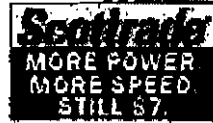
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Press release

by richwill21 (M/Phoenix, Az)

06/10/05 08:41 pm
Msg 621314 of 686368

LEAGUE CITY, Texas -- June 10, 2005 -- Eagle Broadband, Inc. (AMEX: EAG), a leading provider of broadband and communications technology and services, announced today that the company has been deleted from the Russell 3000 Index which measures the performance of the 3000 largest U.S. companies based on total market capitalization.

"We are very not very pleased to be deleted from the Russell 3000, which we consider a clear recognition of Eagle Broadband's continued failures in executing our business plan over the last year," stated Dave Micek, Chairman and CEO of Eagle Broadband.

"Deletion from the index is a reflection of our continued stagnation, worsening financials and decreased market capitalization. The listing is also an indication of further customer rejection of Eagle's technology and services, the indifference of our employees and our continued focus on eroding shareholder value."



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Posted as a reply to: [Msg 621310](#) by richwill21

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Chart, Financial

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Heres the email exchange with Alltel

by: team3339

Long-Term Sentiment: **Strong Sell**

02/16/05 11:01 pm
Msg: 536664 of 540329

Tuesday, February 15, 2005 8:23 AM
Re:Question?

Is Alltel involved with Eagle Broadband? Does Alltel have any plans for IP video this year, will you choose Eagle's IPTVComplete solution?
Thanks,

Rob Clancy
Vice President, Investor Relations
ALLTEL Corporation

To Whom It May Concern,

Thank you for your interest in Alltel. To answer your questions we are not working with Eagle Broadband. As far as internet protocol video solutions we presently have no plans for an expansion into television services. Alltel recently completed a merger with Western Wireless and our core focus is streamlining operations. Alltel applies its' own solutions developed by extensive research. In the future video applications to our existing wireless phone network may be implemented. You can find more information about our company and services at <http://www.alltel.com>

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Email :alltel.investor.relations@alltel.com

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Eagle To File Bankruptcy APF NEWS

07/12/05 02:53 pm

Msg: 643822 of 643660

by: advanced_headlines

Houston area broadband firm files Chapter 11.

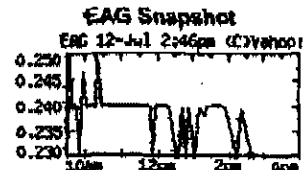
APF REPORTS
Michelle Verdani

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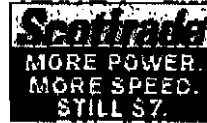
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07/25/05 01:49 pm
Msg 653088 of 686372

by: advanced_headlines
Long-Term Sentiment: Strong Sell

HOUSTON SBC's IPTV Initial Rollout?

Eagle Broadband Files Chapter 7

Full Liquidation in progress as IP Headend put on auction site, SBC rumored to be in talks.

APF Reports

Michelle Verdani

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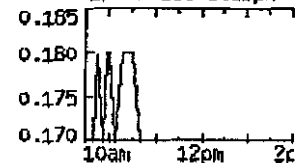
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EAG 3-Oct 3:59pm



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R said he does not and will not

yr: phil_phd2003

ong-Term Sentiment: Strong Buy 09/01/05 10:51 am

sg: 674450 of 674460

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IS THAT ONCOMMAND SAYING 'BOXLESS'?

07/12/05 08:20 pm

Msg: 643960 of 644485

by: [mam 3339](#) (39M)

Long-Term Sentiment Strong Sell

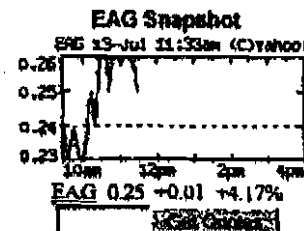
Awww widdle eagles tought oncommand would buy boxes, TOO BAD SO SAD...

"On Command announced last fall that it would market Samsung digital televisions to the hospitality and cruise line industry. At that time, it did not say whether that partnership extended to technological change.

Now, it seems, it will. The agreement with "Samsung and any of the players that we work with is to have a fully integrated end-to-end solution-I call it HD-plus-handling everything from VOD to free-to-guest," says Tad Walden, On Command's SVP of marketing and programming.

In the next 60 to 90 days, "there's going to be a lot of clarity brought to the HD story in the industry, whether it centers around the programming availability, the technology to deliver that programming, security measures or things like that."

The field of in-room technology and HDTV is in flux, Walden says. "We will be delivering what I'm going to call a boxless-type solution," he says. "At the end of the day, it does the same thing. Whether you're talking about IP to the room or about a set-top box in the room, there are a number of different things in play here, and that's what we will be demonstrating at HITEC."



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ool EAG

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**DIRECT FROM
ONCOMMAND/SAMSUNG!**

07/13/05 10:47 am
Msg: 644362 of 644402

by: [team_3336](#) (39AM)
Long-Term Sentiment: Strong Sell

**COPY/PASTE:
MAY 2005**

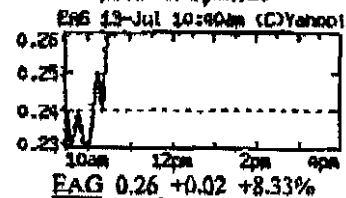
Already, LodgeNet is working with LG Technologies and OnCommand is working with Samsung to "get rid of those boxes on top and integrate that functionality into the television."

Technology is rapidly advancing, says Michael St.-Laurent, Gemstone Resorts' director of information technology. At present, there are four types of HDTVs: Plasma, LCD, DLP (or digital light processing) and "organic snuff."

**COPY/PASTE:
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"The fundamental message here is it's all about content. The days are gone when you can spend \$300 on a television and patch a cable into it. If you're going to spend \$2,000 or \$3,000 (on a high-definition TV), you're going to get \$3,000 of value out of it. The value isn't that you've got the latest model. The value is you've got the latest episode of 'Friends' your guest missed last week."

EAG Snapshot



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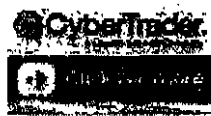
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TO THOSE WHO HAVE FOLLOWED MY POSTS..

01/24/05 01:33 pm
Msg: 508992 of 686367

by: [benderanddundat](#) (37/M/Minnesota)
Long-Term Sentiment **Strong Sell**



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Significant change is coming at Eagle. They are out of cash, sales, and time. They must pay Aggregate back the \$10mm which they do not have...Aggregate may choose to bail them out by rolling the \$10mm but they will demand significant protection...Eagles continued losses are hurting them...Share price will continue to drop significantly...we are now in the .40's...30's will not be far behind.

Eagle will have to

- 1. Issue special preferred series and/or 0.18*
- 2. Create significant dilution and downward price momentum to place additional common shares. 0.18*
- and/or 0.17*
- 3. File for a Chapter 11 reorganization. 0.17*
- and/or
- 4. Sell Assets or the company or a large stake in the company at rock bottom pricing to hook up with a large player with cash.

It's ugly ahead...

Sell your long positions...then go short to make some of your money back...

Chart, Financials, Get

This is truly a case-study in professional incompetence and dereliction of fiduciary duty to shareholders...

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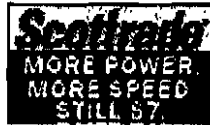
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Cubley files 144 to sell 815,933 shares

09/03/04 02:24 pm
Msg: 374646 of 686365

by: upanddown100



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EAGLE WIRELESS INTERNATIONAL INC

Form 144 for EAGLE BROADBAND INC filed on Sep 1 2004 4:03AM

Thought there might be a filing today

Issuers Name: EAGLE BROADBAND INC

Ticker Symbol: EAG

Seller: H. DEAN CUBLEY

Address: EAGLE BROADBAND INC

Address: LEAGUE CITRY TX 77573

Phone: 281 538600

Filing Date: Sep 1 2004

Shares to be Sold: 815,933

Value: 1,615,547.00

Broker: CPGL

0.18
0.18
0.17
0.17

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Re: 8k: REASON #4.....
by: puppa20

08/22/05 07:55 pm
Msg: 669824 of 687304



"WE are heading directly towards a REVERSE SPLIT."

Posted as a reply to: [Msg 669823](#) by pupba20

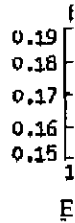
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