



Overstock.com Comments on Report of Liquidation of Copper River Partners

December 11, 2008

SALT LAKE CITY, Dec. 11 /PRNewswire-FirstCall/ -- Overstock.com, Inc. (NASDAQ: OSTK) comments on media reports that Copper River Partners, L.P. previously managed by David Rocker and now by Merr Cohodes, has liquidated because of "the enormity of its losses" and a "violent market downturn and the government's decision to impose wide-ranging restrictions on short selling".

"I follow the advice of Lord: 'In war's victory keep to funeral ceremony.' To those Copper River investors who reportedly lost their money, I extend condolences," said Patrick Byrne, Overstock.com chairman and CEO.

"The liquidation of the fund does not end our litigation against Copper River or its principals. In fact, we have recently added four additional Copper River general partners as defendants. The trial remains set for February 2010, and we are in the heat of discovery. If the fund did not retain sufficient assets to satisfy the eventual award we expect, we will reach into the pockets of Rocker, Cohodes, the other general partners, and if necessary, into the pockets of the limited partners themselves," said Mark Griffin, Overstock.com general counsel.

In August 2008, based on the sworn statements of ex-Gradient employees, Overstock.com filed its case against Gradient Analytics, Inc., its principals, Copper River and its principals, alleging a scheme by which Gradient Analytics published false information supplied by Copper River about Overstock.com. At the time, Gradient published a flurry of false and negative reports on Overstock.com, which the California Court of Appeals referred to as "Carpet Bombing," all of which were calculated, according to the complaint, to drive down the share price of Overstock.com so Copper River could profit from its short sales of Overstock.com's shares.

Substantially all the efforts of Copper River to have the case dismissed have been rejected by reviewing courts. As previously reported, in October 2008, Overstock.com reached a confidential settlement agreement with Gradient and its principals and that portion of the case has been dismissed.

Statements of the ex-Gradient employees can be viewed at http://www.overstock.com/top_story.asp?page=staffreport&news_id=11151.

About Overstock.com

Overstock.com, Inc. is an online retailer offering brand-name merchandise at discount prices. The company offers its customers an opportunity to shop for bargains conveniently, while offering its suppliers an alternative inventory distribution channel. Overstock.com, headquartered in Salt Lake City, is a publicly traded company listed on the NASDAQ Global Market System and can be found online at <http://www.overstock.com>.

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This press release contains certain forward-looking statements within the meaning of Section 27A of the Securities Act of 1933 and Section 21E of the Securities Exchange Act of 1934. Such forward-looking statements include, but are not limited to, statements regarding the trial date, success at trial as against any named defendant or on any particular claim. Our Form 10-K for the year ended December 31, 2007, our subsequent quarterly reports on Form 10-Q, or any amendments thereto, and our other subsequent filings with the Securities and Exchange Commission identify important factors that could cause our actual results to differ materially from those contained in our projections, estimates or forward-looking statements.

SOURCE: Overstock.com, Inc.

CONTACT:

media

Josh Austin,

+1-801-947-4364,

jaustin@overstock.com

or

investors

Kevin Mison,

+1-801-947-3282,

kmison@overstock.com

both of Overstock.com, Inc.

Web Site: <http://www.overstock.com>