

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. 1:98CV03170
)	Judge Emmet G. Sullivan
v.)	
)	
AT&T CORPORATION and)	
TELE-COMMUNICATIONS, INC.,)	
)	
Defendants.)	
_____)	

MOTION TO ENTER ORDER TERMINATING FINAL JUDGMENT

Plaintiff United States of America and Defendant AT&T Corporation (“AT&T,” the successor in interest to Tele-Communications, Inc.) and Liberty Media Corporation (“Liberty,”) move this Court to enter an Order terminating the Final Judgment in the above-captioned matter, and in support of this motion, state as follows:

1. On February 22, 2002, the United States, AT&T and Liberty moved to establish procedures to modify the Final Judgment entered by this Court on August 23, 1999, and on March 5, 2002, this Court entered such order;

2. The United States provisionally agreed to the modification subject to the following conditions:

a. that AT&T and Liberty publish at their own expense a notice of the

proposed modification of the Final Judgment (in the form attached as the Notice of the Proposed Termination of the Final Judgment entered against AT&T Corporation and Tele-Communications, Inc. on August 23, 1999, Exhibit A) in two consecutive issues of (a) *The Wall Street Journal* and (b) *Wireless Week* and file proof of such publication with the Court;

- b. that the United States publish a notice in the *Federal Register* of the proposed termination of the Final Judgment, noting the opportunity to file comments and the reasons for terminating the Final Judgment,
- c. that copies of all comments received by the United States within sixty (60) days after the last publication of the notices described in paragraph 2(a) and the United States' responses be filed with this Court by the United States within a reasonable period of time after the conclusion of the sixty (60) day comment period, and:
- d. that this Court not rule upon the joint motion of the United States, AT&T and Liberty until at least the seventieth (70th) day after the last publication of the notices described in paragraph 2(a).

3. The United States did publish a notice in the *Federal Register* on February 28, 2002, did not receive any comments within the 60-day comment period, and therefore did not file any responses to comments.

4. AT&T and Liberty did publish notices in *The Wall Street Journal* on February 26, 2002 and February 27, 2002 and in *Wireless Week* on March 4, 2002 and March 11, 2002.

5. As of the date of this motion, all of the foregoing conditions have been fulfilled and termination of the Final Judgment under the procedures established by this Court is in the public interest and is timely as of May 22, 2002.

A proposed Order Terminating the Final Judgment is attached.

Respectfully submitted,

FOR PLAINTIFF THE
UNITED STATES OF AMERICA

_____/s/
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_____/s/
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Dated: 5/22/02

FOR DEFENDANT AT&T CORPORATION

/s/

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Dated: 5/22/02

FOR LIBERTY MEDIA CORPORATION

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