

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Civil Action No. 95-1211 (RCL)
)	
v.)	Judge Royce C. Lamberth
)	
AMERICAN BAR ASSOCIATION,)	
)	
Defendant.)	

MOTION TO ENTER MODIFICATION OF FINAL JUDGMENT

Pursuant to the Explanation Of Settlement Procedures filed by the United States on April 3, 2000, the United States of America moves for entry of the proposed Modification Of Final Judgment. The Modification may be entered at this time, without further hearing, if the Court determines that entry is in the public interest.

1. On April 3, 2000, the parties jointly moved for modification of the Final Judgment entered by this Court on June 25, 1996.

2. The United States has complied with the Procedures set out in the Explanation Of Settlement Procedures:

a. The Justice Department published notice of the proposed Modification Of Final Judgment, the Joint Motion, and the United States Memorandum In Support Of The Joint Motion For Modification Of The Final Judgment in the Federal Register on April 25, 2000,

65 Fed. Reg. 24226, and in the Washington Post on April 19-25, 2000. The notice invited members of the public to submit comments about the Modification Of Final Judgment to the Department over a 60-day period.

b. The United States received comments within the 60-day period from Larry Velvel, Dean of the Massachusetts School of Law; Robert J. D'Agostino, Dean of the John Marshall Law School; John Elson, Professor of Law at Northwestern University School of Law, and Gary Palm, a former Professor at the University of Chicago Law School; and Tom Leahy, former President of the Illinois State Bar Association.

c. The United States has simultaneously filed with this Motion copies of these comments and the United States' response to them. See Response to Public Comments about Proposed Modification of Final Judgment (filed today). ¹

3. After carefully reviewing the comments, The United States has determined that entry of the proposed Modification Of Final Judgment is in the public interest for the reasons set forth in the Joint Motion To Modify The Final Judgment , the United States' Memorandum In Support of The Joint Motion For Modification Of The Final Judgment (both filed April 3, 2000) and the United States' Response To Public Comments About Proposed Modification Of Final Judgment (filed today).

¹ Professors Elson and Palm also submitted letters to the Justice Department on October 5 and October 18, 2000. While they were outside the comment period, the Justice Department is treating them as within the period and has responded to them in the United States' Response to Public Comments.

Conclusion

Consequently, the Court should find that entry of the proposed Modification Of Final Judgment is in the public interest and enter the proposed Modification Of Final Judgment without further hearings.

Dated: November 20, 2000

Respectfully submitted,

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