

**MEMORANDUM OF THE UNITED STATES IN OPPOSITION
TO COMPTTEL'S MOTION FOR LEAVE TO INTERVENE,
OR IN THE ALTERNATIVE TO PARTICIPATE AS AMICUS CURIAE**

EXHIBIT 4

filed in

United States v. SBC Communications, Inc. and AT&T Corp.,
Civ. Action No. 1:05CV02102 (EGS) and
United States v. Verizon Communications and MCI, Inc.,
Civ. Action No. 1:05CV02103 (EGS)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

SEP 22 1999

WANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

United States of America,)

Plaintiff,)

v.)

) Civ. No. 94-2331 (TFH)

Motorola, Inc. and)
Nextel Communications, Inc.,)

Defendant.)

ORDER

Pending before the Court is the Motion to Intervene or In the Alternative For Leave To Participate as *Amici Curiae* pursuant to 15 U.S.C. §16 and Federal Rule of Civil Procedure 24, filed jointly by the Wilmington Trust Company and Hughes Network Systems (collectively, the "Geotek creditors"). Upon consideration of this motion and the accompanying memorandum in support of the motion, as well as the Plaintiff United States' memorandum in opposition to this motion, it is hereby

ORDERED that the motion to intervene is denied because the Geotek creditors' private financial interests do not outweigh the public interest in competition, the creditors do not assert a legally recognized individual injury, and the interests of the public are not identical to the interests of the Geotek creditors. It is further

ORDERED that the unopposed motion for leave to participate as *amici curiae* is granted.

September 21st, 1999



Thomas F. Hogan
Thomas F. Hogan
United States District Judge