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United States Attorney
District of Massachusetts
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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United States Courthouse, Suite 9200
1 Courthouse Way
Boston, Massachusetts 02210

September 18, 2000

BY HAND

The Honorable Douglas P. Woodlock
United States District Court Judge
United States Courthouse, Suite 4110
1 Courthouse Way
Boston, MA 02110

Re: Vantage Travel Service, Inc. et al v. Barton-Cotton Sales Corporation, Inc
Civil Action No. 98-12139-DPW

Dear Judge Woodlock:

It has come to the attention of this office that a recent Memorandum and Order in the above matter inadvertently disclosed the existence of a sealed qui tam action. See Memorandum and Order, August 25, 2000, p. 5 n.1 (the "August 25 Decision"). By Order of the Court, the matter in question, United States ex rel. Harry Melikian v. Barton-Cotton Sales Corp., et al., C.A. No. 98-11635-MEL (the "Sealed Qui Tam Action"), is under seal, except as to the parties. It appears that Barton-Cotton, a party to both the "Sealed Qui Tam Action" and your case, violated the seal, presumably inadvertently, by submitting evidence regarding the existence of the Sealed Qui Tam Action in support of its Motion for Summary Judgment in Vantage Travel v. Barton-Cotton. See Def's Ex. G at 20:15-24; 21:14-21; see also August 25 Decision, p. 5, n.1.

By letter dated September 11, 2000, I advised counsel for Barton-Cotton that its client had violated the seal Order in the Sealed Qui Tam Action and requested that counsel file a motion requesting an amendment to the August 25 Decision. See September 11, 2000 Letter,

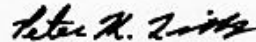
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attached hereto at Tab A.¹ By letter dated September 13, 2000, counsel for Barton-Cotton declined to take any action with respect to its client's violation of the seal Order. See September 13, 2000 Letter, attached hereto at Tab B.

The United States respectfully requests that the Court issue an administratively amended August 25 Decision without the reference to the Sealed Qui Tam Action. In the alternative, the United States requests the opportunity to appear for a hearing before the Court to address this important matter. Thank you for your attention to this matter.

Sincerely,



Peter K. Levitt
Assistant U.S. Attorney

Enclosures

cc: The Honorable Morris Lasker
Michael Demarco, Esq.
Morris Goldings, Esq.

¹ The September 11 letter mistakenly refers to Judge Wolf in connection with the Sealed Qui Tam Action. The reference should be to Judge Lasker.