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LOCKHEED MARTIN
GLOBAL TELECOMMUNICATIONS

Keith H. Fagan
Associate General Counsel

August 26, 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RECEIVED

AUG 26 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: International Bureau
Re: IB Docket No. 02-87

Dear Ms. Dortch:

This letter is being filed on behalf of Lockheed Martin Corporation, COMSAT Corporation, and COMSAT Digital Teleport, Inc. (collectively, "COMSAT"). On August 8, 2002, a document entitled "Reply to Lockheed Opposotion [sic] to Motion to Strike" appeared on the Commission's website. This document was apparently filed by the so-called Litigation Recovery Trust ("LRT"), but is unsigned and to date has not been served on any of COMSAT's counsel.

COMSAT stands by and reconfirms its previous statements with respect to this matter. In particular, COMSAT hereby affirms that its descriptions of the events surrounding its numerous attempts to serve pleadings on LRT, both by mail and fax, are true and correct, and that all of its actions were taken in good faith. In this regard, LRT asserts that, by not serving LRT a second time after its filings had been returned, COMSAT sought to turn a "supposed ministerial error" into a "tactical ex parte advantage." LRT Reply at 3. It is difficult to see what advantage COMSAT might have gained, given that all of its filings are posted on the Commission's website, where LRT can (and does) read them. But the Commission may be assured that *any* such tactical advantage would not be worth the time and trouble that has been required to deal with LRT's continued harassment.

COMSAT also wishes to reiterate, after checking once again with its outside counsel, Wiley Rein & Fielding, that the firm has not received from LRT, by e-mail or otherwise, any of the communications contained in LRT's Exhibit A. Other than that, COMSAT believes that no further response to LRT's charges is necessary. The Commission, through its Office of General Counsel, has repeatedly investigated LRT's claims of ex parte violations by COMSAT, and has found those claims to be utterly lacking in merit. *See* Letter from John I. Riffer to William L. Whitely (Dec. 6, 2000; reissued Jan. 17, 2001); Letter from John I. Riffer to William L. Whitely (Feb. 27, 2001); Letter from John I. Riffer to William L. Whitely (June 22, 2001). The same is

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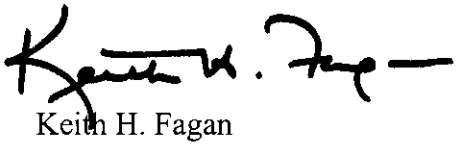
true with respect to LRT's latest allegations. COMSAT has not violated the ex parte rules, and there is no basis for sanctions against COMSAT or any individual associated with it. Regrettably, the same cannot be said for LRT.

Respectfully submitted,



Keith H. Fagan

cc: William L. Whitely, LRT (by registered mail)
James J. R. Talbot, AT&T
Alfred M. Mamlet, Steptoe & Johnson
Scott H. Lyon, Verestar
James L. Ball, International Bureau
Jane E. Mago, General Counsel
Daniel J. Harrold, OGC