



FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

April 14, 2009

*Via First Class Mail and Facsimile*

Mr. Robert M. Jackson  
Blooston, Mordkofsky, Dickens,  
Duffy & Prendergast, LLP  
2120 L Street, NW, Suite 300  
Washington, DC 20037

DA 09-823

**Re: Auction 73 Applications of Club 42 CM Limited Partnership (File Nos. 0003383865 and 0003383873)**

Dear Mr. Jackson:

On December 30, 2008, the United States District Court for the District of Columbia Commission issued an order (“Court Order”) unsealing the Amended Complaint in U.S. *ex rel.* Stephen Kaffee, *et al.* v. Raveesh K. Kumra, *et al.* (D.D.C. filed Dec. 30, 2008). The Court Order (Attachment A to this letter) states that the Amended Complaint (attached hereto as Attachment B), was unsealed so that the “Federal Communications Commission (FCC) is permitted to disclose and refer to the allegations of the Amended Complaint publicly in connection with the FCC’s administrative consideration of applications for licenses which are currently pending before the FCC. . . .” Court Order at 1. Copies of the Court Order and the Amended Complaint have been associated with the above-referenced pending application in the Wireless Telecommunications Bureau’s Universal Licensing System (“ULS”).

In order to facilitate the development of a full record for our review of the above-captioned applications, we are providing you with an opportunity for your client, Club 42 CM Limited Partnership, to respond to the allegations raised in the Amended Complaint. We request that you provide us with a written response and any supporting documentation that you deem pertinent in responding to these allegations no later than May 4, 2009. Your response should be filed electronically through ULS. If your response contains confidential information, please file the response using the confidential filing procedures in ULS as well as a redacted version of the response, along with a confidentiality request, in ULS for public inspection.

If you have any questions regarding this matter, please contact Erin McGrath at (202) 418-2042.

Sincerely,

Roger S. Noel  
Chief, Mobility Division  
Wireless Telecommunications Bureau

cc: Puneet Wadhwa  
Mark J. O'Connor