

Before the
Federal Communications Commission
Washington, D.C. 20554

Law Offices of Matthew Bergman,)	
Complainant,)	
)	
v.)	File No. EB-11-MD-005
)	
Satcom Direct, Inc. and)	
Satcom Direct Communications, Inc.,)	
Defendants.)	

ORDER OF DISMISSAL

Adopted: January 30, 2013

Released: January 30, 2013

By the Deputy Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On June 20, 2011, the above-named complainant (Bergman) filed with this Commission an amended formal complaint (Complaint)¹ against the above-named defendants, (collectively, Satcom) pursuant to section 208 of the Communications Act of 1934, as amended (Act),² and section 1.720 *et seq.* of the Commission's rules.³ The Complaint alleges, *inter alia*, that Satcom's billing and marketing practices are unjust and unreasonable in violation of section 201(b) of the Act.⁴ On July 25, 2011, Satcom filed an answer to the Complaint in which it denied Bergman's allegations.⁵

2. On January 25, 2013, the parties jointly filed a motion to dismiss the Complaint.⁶ In the Motion, the parties state that they have resolved their dispute and request that the

¹ Amended Formal Complaint of Law Offices of Matthew Bergman, File No. EB-11-MD-005 (filed June 20, 2011). Bergman's original complaint was filed a few weeks earlier. *See* Formal Complaint of Law Offices of Matthew Bergman, File No. EB-11-MD-005 (filed May 5, 2011) (Complaint).

² 47 U.S.C. § 208.

³ 47 C.F.R. §§ 1.720 -1.736.

⁴ 47 U.S.C. § 201(b).

⁵ Answer to Formal Complaint of Law Offices of Matthew Bergman, File No. EB-11-MD-005 (filed July 25, 2011) (Answer).

⁶ Joint Motion To Dismiss, File No. EB-11-MD-005 (filed Jan. 25, 2013) (Motion).

Complaint be dismissed with prejudice.⁷

3. We are satisfied that granting the Motion will serve the public interest by promoting the private resolution of disputes and eliminating the need for further litigation and the expenditure of additional time and resources of the parties and this Commission.

4. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 208, and the authority delegated in sections 0.111, 0.311, and 1.720 - 1.736 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, and 1.720 - 1.736, that the Motion is GRANTED, and that the Complaint in this proceeding is DISMISSED with prejudice.

FEDERAL COMMUNICATIONS COMMISSION

Lisa J. Saks
Deputy Chief
Market Disputes Resolution Division
Enforcement Bureau

⁷ Motion at 1.