UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, Plaintiff, v. VISA USA, INC., VISA INTERNATIONAL CORP., AND MASTERCARD INTERNATIONAL, INC., Defendants.	98 Civ. 7076 (BSJ) **ORDER**

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

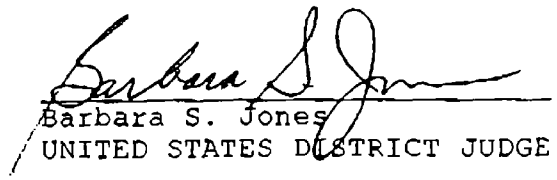
Having reviewed defendant VISA USA, Inc.'s ("VISA USA") Motion to Compel Pursuant to Fed. R. Civ. P. 37(a), the parties' memoranda and affidavits, the pertinent case law, and the pertinent Rules, the Court:

ORDERS that the United States shall provide to the Court for its in camera review the information necessary for the Court to determine whether the identities of the four interviewees for whom the United States claims a so-called informant privilege should remain undisclosed.

DENIES defendant VISA USA's motion to compel disclosure of interview notes, summaries or transcripts taken by or for the United States because defendant VISA USA has failed to make the requisite showing to overcome the qualified protection afforded such documents under the work product doctrine.

DENIES defendant VISA USA's motion to compel disclosure of economic analyses prepared by consultants to the United States because defendant VISA USA has failed to make the requisite showing to require disclosure of non-testifying expert materials. Disclosure of testifying expert materials shall be made in accordance with Fed. R. Civ. P. 26(b)(4)(A) and at the times specified in the parties' case management plan.

SO ORDERED:



Barbara S. Jones
UNITED STATES DISTRICT JUDGE

New York, New York
January 27, 1999