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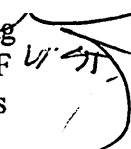
March 24, 2016

VIA FEDERAL EXPRESS

The Honorable Raymond J. Dearie
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: U.S. v. Webb et al, No. 1:15-cr-00252-RJD

Dear Judge Dearie:

I am writing to Your Honor on behalf of Bloomberg News, an accredited and global news gathering organization. I write respectfully to request that the plea agreement hearing transcript of Jeffrey Webb (ECF No. 99) and the change of plea hearing transcripts for Alejandro Burzaco (ECF No. 90) and Jose Margulies (ECF No. 96) in the above referenced case be unsealed, and that any underlying plea and/or cooperation agreements be publicly filed. 

The public has a presumptive First Amendment right of access "to plea hearings and thus to documents filed in connection with those hearings." *U.S. v. Haller*, 837 F.2d 84, 86-87 (2d Cir. 1988). Consistent with this right of access, filed plea agreements and transcripts may remain sealed only if the proponent of sealing has demonstrated a "substantial probability of prejudice to a compelling interest which closure would prevent," *U.S. v. Doe*, 63 F.3d 121, 128 (2d Cir. 1995), and the Court "makes 'specific, on the record findings demonstrating that closure is essential to preserve higher values and is narrowly tailored to serve that interest.'" *Haller*, 837 F.2d at 87 (citing *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1, 106 S. Ct. 2735, 2743 (1986)). As this Court has recognized, the "right of access is the rule and it is a rare and exceptional case where it does not apply, and the Court's power to seal and preserve 'higher values' is 'one to be very seldom exercised, and even then only with the greatest caution, under urgent circumstances, and for very clear and apparent reasons.'" *U.S. v. Zazi*, No. 09-CR-6639(RJD), 2010 BL 417009 (E.D.N.Y. June 28, 2010) (internal citations omitted).

In keeping with these principles, plea transcripts and plea agreements of defendants in related cases arising out of the FIFA scandal have already been unsealed. *See U.S. v. Blazer*, No. 13-CR-602(RJD) (E.D.N.Y. June 15, 2015) (ECF No. 26) (unsealing plea agreement of Charles Blazer); *U.S. v. Daryll Warner*, No. 13-cr-00584(WFK) (E.D.N.Y. May 29, 2015) (ECF No. 71) (unsealing the plea transcripts of Daryll and Daryan Warner); *see also U.S. v. Hawilla*, No. 14-cr-609(RJD) (E.D.N.Y. Oct. 14, 2015) (ECF No. 59) (unsealing a redacted transcript, cooperation agreement and plea agreement of José Hawilla at the request of the Government).

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We respectfully request that the plea transcripts and plea documents of Defendants Webb, Burzaco and Margulies likewise be made available to the public. The docket does not reflect a showing by any of the parties that would overcome the presumptive right of access, and there is no compelling reason for closure. On the other hand, the public interest in the transparency of these proceedings is exceptionally strong.

The prosecution of 42 defendants in the FIFA scandal has generated intense media interest and led to an overhaul of leadership at the global governing body of the world's most popular sport. Defendants Webb, Burzaco and Margulies are among the most prominent defendants, and worldwide interest in their conduct and the resolution of the proceedings against them is high. As a principal of Torneos y Competencias S.A., Burzaco admitted his role in several schemes and agreed to forfeit \$21.6 million. Margulies pleaded guilty to charges alleging he laundered money over a quarter century for several defendants, and agreed to forfeit \$9.2 million. Webb, the former Concacaf president, also admitted his role in several schemes and agreed to forfeit \$6.7 million. Of all the defendants who have pleaded guilty so far in the FIFA prosecutions, only José Hawilla, who consented to forfeit \$25 million, has agreed to forfeit more money than these three individuals. Public disclosure of the resolution of the case against these high-profile defendants is critical to "enhance the basic fairness of judicial process and the appearance of fairness that is essential to public confidence in the system." *United States v. Biaggi*, 828 F.2d 110, 114 (2d Cir. 1987).

We appreciate Your Honor's consideration of this request.

Respectfully submitted,



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Counsel of Record for Defendants Webb, Margulies and Burzaco and for Plaintiff United States of America (via electronic mail)