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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-211246

DATE: May 19, 1983

MATTER OF: D.C. Data Company

DIGEST:

Protest is dismissed where a stipulation entered into by the protester and the agency and approved by a court renders the protest to GAO moot.

D.C. Data Company protests the District of Columbia Lottery and Charitable Games Control Board's award of a contract for a lottery system to Lottery Technology Enterprises (LTE). We dismiss the protest.

D.C. Data filed a complaint regarding the same matter in the Superior Court of the District of Columbia (Civil Action No. 4384-83). We understand that the court subsequently dismissed the suit without prejudice after D.C. Data and the Lottery Board entered into a stipulation that the Lottery Board would resolicit bids for the system. We also understand that LTE has appealed the court's decision.

Under the circumstances, we will not consider the protest. The court-approved agreement between the Lottery Board and D.C. Data effectively renders the issues raised by D.C. Data moot.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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