

No. 09-1004

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

IN RE CTIA - THE WIRELESS ASSOCIATION,
Petitioner.

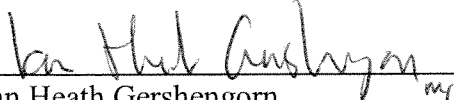
On Petition for a Writ of Mandamus to the Federal Communications Commission

PETITIONER CTIA– THE WIRELESS ASSOCIATION’S MOTION TO
WITHDRAW ITS PETITION FOR A WRIT OF MANDAMUS

In reliance on the response of the District of Columbia Department of Corrections that it has cancelled and has no plans to reschedule the challenged test of wireless jamming technology previously scheduled for January 8, 2009, between 11:30 am and 1:00 p.m., and in reliance on the Federal Communications Commission’s response that its Bureau’s decision to grant the Department special temporary authority to conduct such a test only during that period consequently is no longer of any effect, and in further reliance on the Commission’s assurance that were the FCC to issue special temporary authority for a future test CTIA would have the opportunity to seek judicial intervention at that time, Petitioner CTIA– The Wireless Association, hereby moves to withdraw the above-captioned petition for a writ of mandamus.

Respectfully submitted,

JENNER & BLOCK LLP



Ian Heath Gershengorn
Mark D. Schneider
1099 New York Avenue, NW
Suite 900
Washington, D.C. 20001
Telephone: 202 639-6000

January 8, 2009

CERTIFICATE OF SERVICE

I, Mark D. Schneider, hereby certify that on this 8th day of January, 2009, I caused a copy of the foregoing Petitioner CTIA– The Wireless Association’s Motion To Withdraw Its Petition For A Writ Of Mandamus to be served by first class mail, postage prepaid upon the following:

FEDERAL COMMUNICATIONS COMMISSION

Matthew Berry
General Counsel
Federal Communications Commission
445 12th St. SW
Washington, D.C. 20554
(202) 418-1752

Joseph Palmore
Deputy General Counsel
Federal Communications Commission
445 12th St. SW
Washington, D.C. 20554
(202) 418-1703

Joel D. Taubenblatt
Deputy Section Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th St. SW
Washington, D.C. 20554
(202) 418-1513

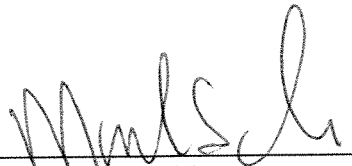
UNITED STATES OF AMERICA

Michael B. Mukasey
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave. N.W.
Washington, D.C. 20530-0001
Phone (202) 514-2000

Catherine G. O’Sullivan
Nancy C. Garrison
U.S. Department of Justice
Antitrust Division - Appellate Section
950 Pennsylvania Ave. N.W.
Washington, D.C. 20530-0001
Phone (202) 514-2413

DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

Mr. Devon Brown
Director
District of Columbia Department of
Corrections
1923 Vermont Ave, N.W.
Washington, D.C. 20001
Telephone (202) 673-7316
Fax (202) 671-0169


Mark D. Schneider