

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

NATIONAL ASSOCIATION OF
BROADCASTERS,

Petitioner,

v.

FEDERAL COMMUNICATIONS
COMMISSION and UNITED STATES OF
AMERICA,

Respondents.

Case No. 16-1394
(Consolidated with Case Nos.
16-1395, 16-1398, 16-1403)

**NATIONAL ASSOCIATION OF BROADCASTERS' UNOPPOSED
MOTION TO VOLUNTARILY DISMISS APPEAL**

Pursuant to Federal Rule of Appellate Procedure 42(b), petitioner the National Association of Broadcasters (“NAB”) moves to voluntarily dismiss this appeal. On December 1, 2016, NAB filed with the Federal Communications Commission (“FCC”) a petition for reconsideration of the order on review. Accordingly, at this time, the order is no longer appealable as final agency action with respect to NAB.

The FCC and the United States do not oppose this motion. The parties have agreed that each side shall bear its own costs and fees.

NAB respectfully requests that the Court grant this motion before December 15, 2016, which is the current deadline for initial submissions and procedural motions in this case.

Dated: December 2, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of December, 2016, I caused a copy of the foregoing Motion to Voluntarily Dismiss Appeal to be served with the Clerk of the Court via the Court's CM/ECF filing system. I further certify that service was accomplished on the parties listed below via the Court's CM/ECF system.

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