

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	Docket No. 18-73
CenturyLink Communications, LLC)	File No. EB-18-MD-002
and Level 3 Communications, LLC,)	
)	
Complainants,)	
)	
v.)	
)	
Birch Communications, Inc.,)	
)	
Defendant.)	

JOINT MOTION TO WITHDRAW AND DISMISS FORMAL COMPLAINT

Complainants CenturyLink Communications, LLC (“CenturyLink”) and Level 3 Communications, LLC (“Level 3”), and Defendant Birch Communications, LLC (formerly Birch Communications, Inc.) (“Birch”), by and through their respective undersigned counsel, hereby jointly move to withdraw and dismiss the Formal Complaint in the above-captioned proceeding with prejudice. In support, CenturyLink, Level 3, and Birch respectfully state as follows:

1. CenturyLink and Level 3 filed a Formal Complaint in the above-captioned proceeding on March 23, 2018. Birch filed an Answer to the Formal Complaint on April 23, 2018, and CenturyLink and Level 3 filed a Reply on May 7, 2018.

2. CenturyLink, Level 3, and Birch have settled the disputes giving rise to the Formal Complaint. Accordingly, the parties agree to seek withdrawal and dismissal with prejudice of the Formal Complaint as to all claims, defenses, and related pleadings asserted therein.

3. Under these circumstances, the parties respectfully submit that dismissal with prejudice is both necessary and appropriate. Dismissal of the Formal Complaint will serve the public interest by eliminating the need for further litigation and the expenditure of time and resources of the Parties and the Commission, and by promoting the private resolution of disputes.

WHEREFORE, CenturyLink, Level 3, and Birch jointly move to withdraw and dismiss the Formal Complaint with prejudice.

Respectfully submitted,

/s/ Charles W. Steese
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September 20, 2018