

ROBERT J. KELLER, P.C.
Federal Telecommunications DOCKET FILE COPY ORIGINAL
4200 Wisconsin Avenue, N.W. #106-233
Washington, D.C. 20016-2157

Telephone: 301.320.5355
Facsimile 301.229.6875
Email: rjk@telcomlaw.com
www.his.com/~rjk/

Of Counsel:
Shanis & Peltzman
1901 L Street NW Ste 290
Washington DC 20036
Telephone: 202-293-0011

January 5, 1998

Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

RECEIVED

JAN 5 - 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re: WT Docket No. 94-147
James A. Kay, Jr.

Dear Ms. Salas:

Submitted herewith for inclusion in the public docket file of the above-referenced proceeding are fourteen copies of each of the following items:

- a December 12, 1997 letter from undersigned counsel transmitted by facsimile to John I. Riffer of the Office of General Counsel; regarding an *Emergency Motion for Special Relief* filed jointly in the above-referenced proceeding and in WT Docket No. 94-147; and
- a December 15, 1997 letter from undersigned counsel, addressed to John I. Riffer of the Office of General Counsel but filed with the Office of the Secretary, formally withdrawing the *Emergency Motion for Special Relief*.

It has been called to my attention that one or more of these items may not have been filed with the Office of the Secretary. Out of an abundance of caution, we are providing fourteen copies herewith so that copies may be placed in and/or associated with (as appropriate) the public record of this proceeding.

Very truly yours,



Robert J. Keller
Counsel for Marc D. Sobel
d/b/a Air Wave Communications

cc: John I. Riffer, Esquire (Office of General Counsel)
Gary Schonman, Esquire (Counsel for Wireless Telecommunications Bureau)
Barry Friedman, Esquire (Counsel for James A. Kay, Jr.)

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ROBERT J. KELLER, P.C.
Federal Telecommunications Law
4200 Wisconsin Avenue, N.W. #106-233
Washington, D.C. 20016-2157

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Of Counsel:
Shanis & Peltzman
1901 L Street NW Ste 290
Washington DC 20036
Telephone: 202-293-0011

12 December 1997

Via Facsimile (202-418-7540)

John I. Riffer, Esquire
Assistant General Counsel
Administrative Law Division
Office of General Counsel
Federal Communications Commission
Washington, D.C. 20554

In re: WT Docket No. 97-56
Marc D. Sobel d/b/a Air Wave Communications

WT Docket No. 94-147
James A. Kay, Jr.

Dear Mr. Riffer:

This letter is to advise you that Marc D. Sobel d/b/a Air Wave Communications no longer requires a ruling on his pending *Emergency Motion for Special Relief*. Mr. Sobel's deposition in WT Docket No. 94-147 was conducted earlier this week, and the counsel for the Wireless Telecommunications Bureau voluntarily refrained from inquiry into matters relating to WT Docket No. 97-56. In view of the Bureau's voluntary limitation of the scope of its examination of Mr. Sobel, and insofar as the deposition has now been adjourned, the *Emergency Motion* is moot.

I will arrange for the filing with the Office of the Secretary on Monday a formal withdrawal of the pleading.

Very truly yours,



Robert J. Keller
Counsel for Marc D. Sobel d/b/a
Air Wave Communications

cc (via facsimile):

The Hon. Richard L. Sippel, Administrative Law Judge
Gary Schonman, Esquire (Counsel for Wireless Telecommunications Bureau)
Barry Friedman, Esquire (Counsel for James A. Kay, Jr.)

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www.his.com/~rjk/

Of Counsel:
Shanis & Peltzman
1901 L Street NW Ste 290
Washington DC 20036
Telephone: 202-293-0011

15 December 1997

John I. Riffer, Esquire
Assistant General Counsel
Administrative Law Division
Office of General Counsel
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re: WT Docket No. 97-56
Marc D. Sobel d/b/a Air Wave Communications

WT Docket No. 94-147
James A. Kay, Jr.

Dear Mr. Riffer:

In accordance with the letter I sent to you via facsimile on 12 December 1997, Marc D. Sobel d/b/a Air Wave Communications, through his attorney, hereby withdraws his pending *Emergency Motion for Special Relief*. The matter is now moot, and Mr. Sobel no longer requires the requested relief.

Kindly direct any questions or correspondence concerning this matter to the undersigned.

Very truly yours,



Robert J. Keller
Counsel for Marc D. Sobel d/b/a
Air Wave Communications

cc: The Hon. Richard L. Sippel, Administrative Law Judge
Gary Schonman, Esquire (Counsel for Wireless Telecommunications Bureau)
Barry Friedman, Esquire (Counsel for James A. Kay, Jr.)