

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of:)	
)	
Rules and Regulations Implementing the)	CG Docket No. 02-278
Telephone Consumer Protection Act of)	
1991)	CG Docket No. 05-338
)	
Junk Fax Prevention Act of 2005)	Re: Waiver Request by Healthways,
)	Inc. and Healthways WholeHealth
Petitions for Declaratory Ruling and)	Networks, Inc.
Retroactive Waiver of 47 C.F.R.)	
§ 64.1200(a)(4)(iv) Regarding the)	
Commission's Opt-Out Notice)	
Requirement for Faxes Sent with)	
Recipient's Prior Express Permission)	

**NOTICE OF WITHDRAWAL OF EDWARD SIMON, DC'S AND AFFILIATED
HEALTH CARE ASSOCIATES, P.C.'S APPLICATION FOR REVIEW**

Aaron P. Shainis
Shainis & Peltzman, Chartered
1850 M Street, NW
Suite 240
Washington, DC 20036

Scott Z. Zimmermann
Law Offices of Scott Z. Zimmermann
777 S. Figueroa St.
Suite 4000
Los Angeles, CA 90017

NOTICE OF WITHDRAWAL

Edward Simon, DC and Affiliated Health Care Associates, P.C. hereby withdraw their Application for Review (Confirmation number 2015928842199) of the Commission's decision in *In the Matter of Rule and Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 05-338, 2015 WL 5120879 (F.C.C. August 28, 2015), with respect to the retroactive waivers granted to Healthways, Inc. and Healthways WholeHealth Networks, Inc. Accordingly, no further action or consideration by the Commission is requested or warranted at this time on the Application for Review.

Dated: ^{May 11}~~April~~ __, 2016

Respectfully submitted,

EDWARD SIMON, DC and AFFILIATED HEALTH
CARE ASSOCIATES, P.C.

By: /s/ Scott Z. Zimmermann
One of their attorneys

777 S. Figueroa St.
Suite 4000
Los Angeles, CA 90017
Tele: (310) 452-6509
Email: szimm@zkcf.com