



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Office of the Secretary

October 31, 2013

Matthew J. Reilly, Esquire  
Kevin J. Arquit, Esquire  
Counsel for Office Depot, Inc.  
Simpson Thacher & Bartlett  
1155 F Street, NW  
Washington, DC 20004

*Re: Proposed Merger of Office Depot, Inc., and OfficeMax, Inc., File No. 131-0104*

Dear Messrs. Reilly and Arquit:

The Federal Trade Commission's Bureau of Competition has been conducting a non-public investigation to determine whether the proposed merger of Office Depot, Inc., and OfficeMax, Inc., violates Section 7 of the Clayton Act or Section 5 of the Federal Trade Commission Act.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

By direction of the Commission.

Donald S. Clark  
Secretary