

LAW OFFICES  
HYMAN, PHELPS & MCNAMARA, P.C.

700 THIRTEENTH STREET, N.W.  
SUITE 1200  
WASHINGTON, D. C. 20005-5929  
12021 737-5600  
FACSIMILE  
12021 737-9329  
[www.hpm.com](http://www.hpm.com)

JOHN R. FLEDER

Direct Dial (202) 737-4580  
JFleder@hpm.com

September 9, 2016

**CONFIDENTIAL**

**BY E-MAIL**

The Honorable Donald S. Clark, Secretary  
Federal Trade Commission  
Office of the Secretary  
Constitution Center  
400 Seventh Street, S.W., Suite 5610  
Washington, D.C. 20024

Re: Breathometer, Inc., Matter No. 162 3052, CID File No. 0023191  
Withdrawal of Petition to Quash Civil Investigative Demands

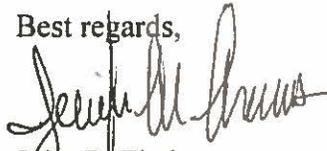
Dear Secretary Clark:

Petitioners Breathometer, Inc. and Charles Michael Yim hereby withdraw their August 2, 2016 Petition to Quash the CIDs issued on July 13, 2016 in the above-captioned matter.

Petitioners no longer seek a ruling from the Commission in this matter, because they are in the process of negotiating with the FTC Staff regarding potential settlement of the investigation of which the CIDs are part.

If you have questions regarding withdrawal of the petition, please do not hesitate to contact me.

Best regards,



John R. Fleder  
Jennifer M. Thomas  
Hyman, Phelps & McNamara, P.C.  
202-737-4580  
[jfleder@hpm.com](mailto:jfleder@hpm.com)  
[jthomas@hpm.com](mailto:jthomas@hpm.com)