Founded in 1852
by Sidney Davy Miller

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February 23, 2006

Via Hand Delivery

Ms. Kimberly S. Hauser
District Clerk
Michigan Court of Appeals, First District
3020 West Grand Blvd., Suite 14-300
Detroit, MI 48202

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Re: Midland Cogeneration Venture v City of Midland
Court of Appeals No. 254636, 254745, 255066
Michigan Tax Tribunal No. 192808

Dear Ms. Hauser:

Through this letter, we are withdrawing the "Nonparty Expedited Motion for Immediate Access to Recording of Oral Arguments" filed on February 14, 2006. We are withdrawing this motion in light of the Court of Appeals releasing its written opinion for *Midland Cogeneration Venture v City of Midland* on February 21, 2006.

Thank you for your attention to this matter.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: _____
Jackie J. Cook

Cc: Joanne B. Faycurry
Michael B. Shapiro
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