

811-5240

Selected
FUNDS

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November 27, 2006

Securities and Exchange Commission
Judiciary Plaza
450 Fifth Street N.W.
Washington, D.C. 20549

Re: Section 33 Civil Actions Filing
Selected American Shares, Inc. ('33 File No. 2-10699, '40 File No. 811-51)
Selected Special Shares, Inc. ('33 File No. 2-27514, '40 File No. 811-1550)
Selected Capital Preservation Trust ('33 File No. 33-15807, '40 File No. 811-5240) *st*

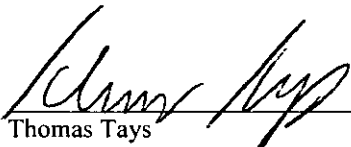
Dear Sir or Madam:

In accordance with Section 33 of the Investment Company Act of 1940 enclosed for filing on behalf of the registrants listed above ("Registrants") is a copy of a notice withdrawing the plaintiffs appeal in the action entitled:

In Re Davis Selected Mutual Funds Litigation, 05-6936-cv

Please acknowledge receipt of this filing by date-stamping and returning the enclosed copy of this cover letter in the postage paid envelope provided. If you have any questions, please contact the undersigned.

Sincerely,


Thomas Tays
Vice President and Secretary
Selected Funds

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JCC*

SDNY/NTM
04-cv-4186
Goldman Cederbaum

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT



In re DAVIS SELECTED MUTUAL
FUNDS LITIGATION

Docket No.: 05-6936

STIPULATION WITHDRAWING APPEAL FROM ACTIVE CONSIDERATION,
WITHOUT PREJUDICE, WITH LEAVE TO REACTIVATE

The undersigned counsel hereby stipulate that the above-referenced appeal is hereby withdrawn from active consideration before the Court. Such withdrawal shall be without prejudice to a reactivation of the appeal by appellants' counsel so notifying this Court by filing written notice of reactivation with the Clerk of this Court and serving such notice upon the undersigned on or before 15 days after entry of a mandate on the docket in In re Eaton Vance Mutual Funds Fees Litigation, 05-6957 or not later than March 30, 2007.

If the appeal is not reactivated or service not effected in accordance with the deadline set forth above, the appeal shall be deemed withdrawn with prejudice and without costs or attorneys fees incurred to date. See Hertzner v. Henderson, 292 F.3d 302 (2d Cir. 2002).

Withdrawal of the appeal from active consideration shall not operate as a dismissal of the appeal under Rule 42(b) of the Federal Rules of Appellate Procedure.

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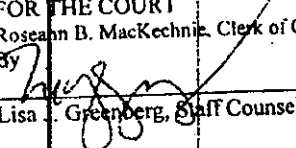
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SO ORDERED.

FOR THE COURT
Roseann B. MacKechnie, Clerk of Court
By



Lisa J. Greenberg, Staff Counsel