FORM 3

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF **SECURITIES**

OMB APPROVAL								
OMB Number:	OMB Number: 3235-0104							
Estimated average burden								
hours per response	e: 0.5							

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person* Bateman Justin 2. Date of Event Requiring Statement (Month/Day/Year) 06/23/2009			nent	3. Issuer Name and Ticker or Trading Symbol OFFICE DEPOT INC [ODP]							
(Last) 667 MADISO (Street) NEW YORK		(Middle) 19TH FLOOR 10065				tionship of Reporting Perso all applicable) Director Officer (give title below)	10% Own Other (spe	er	(Mon	nth/Day/Year) dividual or Joint icable Line) Form filed by	Ate of Original Filed /Group Filing (Check y One Reporting Person y More than One erson
(City)	(State)	(Zip)									
Table I - Non-Derivative Securities Beneficially Owned											
=: :: -: -: -: -:					int of Securities ially Owned (Instr. 4)			4. Nature of Indirect Beneficial Ownership (Instr. 5)			
No securities are beneficially owned					0	D					
Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)											
		ate	3. Title and Amount of Securit Underlying Derivative Securit			4. Conve	rcise	e Form:	6. Nature of Indirect Beneficial Ownership (Instr. 5)		
				Expiratio Date	n Title	,	Amount or Number of Shares	Price of Deriva	tive	Direct (D) or Indirect (I) (Instr. 5)	

Explanation of Responses:

Remarks:

No securities are beneficially owned. See Exhibit 99.1 $\,$

/s/ JUSTIN BATEMAN 07/02/2009

** Signature of Reporting Person

Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

- * If the form is filed by more than one reporting person, see Instruction 5 (b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

Mr. Bateman is associated with BC Partners, Inc., which acts as an advisor to (i) BC European Capital VIII-1 to 12 (inclusive), each a United Kingdom limited partnership ("Funds 1-12"); (ii) BC European Capital VIII-14 to 34 (inclusive), each a United Kingdom limited partnership ("Funds 14-34" and together with Funds 1-12, the "CIE Investors"); (iii) BC European Capital VIII-35 SC to 39 SC (inclusive), each a Societe Civiles organized under the laws of (the "LMBO Investors" and together with the CIE Investors, the "Investors"); (iv) LMBO Europe SAS, a Societe par actions simplifiee organized under the laws of France ("LMBO"); and (v) CIE Management II Limited, a limited corporation organized under the laws of Guernsey, Channel Islands ("CIE"). BC Partners, Inc. has no discretionary authority with respect to the investment decisions of any of the foregoing entities.

CIE is the general partner of each of the CIE Investors and LMBO is Gerant as to each of the LMBO Investors. BC Partners Holdings Limited, a limited corporation organized under the laws of Guernsey, Channel Islands ("BCHL"), is the controlling entity of each of (i) BC Partners, Inc.; (ii) CIE; and (iii) LMBO. The Investors, CIE and LMBO may be deemed to be a "group" (within the meaning of Section 13(d)(3) of the Securities Exchange Act) and, as such, may be deemed to be beneficial owners of (y) 274,596 shares of 10% Series A Redeemable Convertible Participating Perpetual Preferred Stock, par value \$0.01 per share and (z) 75,404 shares of 10% Series B Redeemable Conditional Convertible Participating Perpetual Preferred Stock, par value \$0.01 per share, of Office Depot, Inc. (the "Issuer"), each Investor, however, disclaims beneficial ownership with respect to the shares owned by each of the other Investors, CIE and LMBO.

This Form 3 report does not include any securities of the Issuer that may be deemed beneficially owned by the Investors, CIE or LMBO and Mr. Bateman disclaims beneficial ownership of all such securities. This report shall not be deemed an admission that Mr. Bateman is the beneficial owner of, or has any pecuniary interest in, such securities for the purposes of Section 16 of the Securities Exchange Act of 1934, as amended, or for any other purpose.