



SIDLEY AUSTIN LLP  
1501 K STREET, N.W.  
WASHINGTON, D.C. 20005  
(202) 736 8000  
(202) 736 8711 FAX

BEIJING  
BOSTON  
BRUSSELS  
CHICAGO  
DALLAS  
FRANKFURT  
GENEVA  
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SHANGHAI  
SINGAPORE  
SYDNEY  
TOKYO  
WASHINGTON, D.C.

pmoates@sidley.com  
(202) 736 8175

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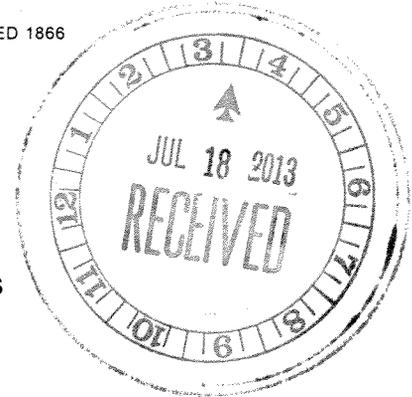
July 19, 2013

234560

**By Hand-Delivery**

Rachel D. Campbell, Director  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
July 19, 2013  
Part of  
Public Record



Re: STB Docket No. NOR 42125, *E.I. DuPont de Nemours & Company v. Norfolk Southern Railway Company*

Dear Ms. Campbell:

As counsel to Defendant Norfolk Southern Railway in the above-referenced proceeding, we have been served with an "Errata to DuPont's Rebuttal Evidence." This purported "Errata" is an unauthorized and inappropriate supplemental evidentiary submission made by the Complainant more than three months after it filed its Rebuttal Evidence and more than one month after the parties filed their final Briefs in this case. Moreover, DuPont filed this new evidence under the guise of an "Errata" without even a token request for leave to do so.

Norfolk Southern intends to file promptly a Motion to Strike this unprecedented and highly prejudicial submission, and it requests that your office not distribute this impermissible and unauthorized material to any Board staff working on this case until that Motion has been received and acted upon by the Board.

Sincerely,

G. Paul Moates

GPM:aat

cc: Jeffrey O. Moreno, Counsel for Complainant