

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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NORTH AMERICA FREIGHT CAR  
ASSOCIATION

Complainant,

v.

BNSF RAILWAY COMPANY, et al

Defendants.

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Docket NOR 42137

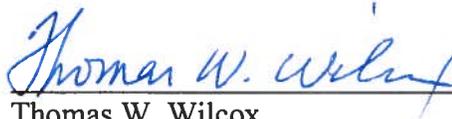
**STATUS REPORT**

By Decision served on July 31, 2013, the Director of Proceedings granted the parties' joint motion to hold this proceeding in abeyance, pending possible dismissal of complainant North America Freight Car Association's complaint upon the formal conclusion of the parties' ongoing settlement discussions. On October 17, 2013, NAFCA, reporting on behalf of all parties and with defendants' concurrence, informed the Board that the parties' settlement discussions were continuing, and that they would provide another status report to the Board on or before December 17, 2013, assuming NAFCA had not filed a motion to dismiss before that date.

NAFCA, again reporting on behalf of all the parties and with defendants' concurrence, hereby informs the Board that the parties' settlement discussions have been productive, and they anticipate that, as a result of those discussions and steps the parties anticipate will be taken between now and the end of January, 2014, NAFCA will formally dismiss its complaint. Accordingly, the parties ask that the Board continue to hold this proceeding in abeyance, pending

either the formal dismissal of NAFCA's complaint or a further joint status report to be submitted by February 14, 2014.

Respectfully submitted,



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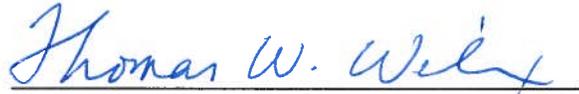
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Attorneys for  
North America Freight Car Association

Dated: December 17, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that the following Status Report was served on all parties of record via email on this 17<sup>th</sup> day of December 2013.

  
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Thomas W. Wilcox