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October 27, 2015

VIA FEDERAL EXPRESS OVERNIGHT DELIVERY

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 East Street SW  
Washington, D.C. 20423

239449

ENTERED  
Office of Proceedings  
October 28, 2015  
Part of  
Public Record



**Re: Finance Docket 35935**  
**Calumet Transload Railroad LLC v. City of Chicago, et al.**

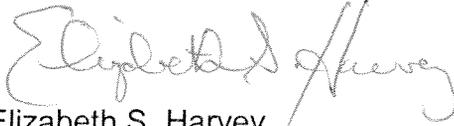
Dear Ms. Brown:

Enclosed for filing are an original and ten copies (plus one extra) of Calumet Transload Railroad LLC's Motion to Dismiss with Prejudice. Please date-stamp the extra copy of this response and return it to me in the enclosed self-addressed pre-paid envelope.

Please contact me if you have any questions. Thank you.

Very truly yours,

SWANSON, MARTIN & BELL, LLP

  
Elizabeth S. Harvey

ESH/jp

Enclosures

cc: Counsel for City of Chicago, Illinois  
(w/enc)

BEFORE THE SURFACE TRANSPORTATION BOARD

STB DOCKET NO. 35935

CALUMET TRANSLOAD RAILROAD LLC  
PETITION FOR DECLARATORY ORDER



**MOTION TO DISMISS WITH PREJUDICE**

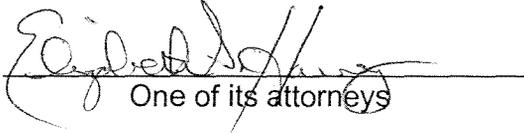
Petitioner CALUMET TRANSLOAD RAILROAD LLC ("Calumet Transload Railroad") moves to dismiss, with prejudice, its petition for declaratory order.

Calumet Transload Railroad filed this petition for declaratory order with the Surface Transportation Board ("STB") on June 10, 2015. Calumet Transload Railroad has subsequently reached a settlement agreement with the City of Chicago ("City"). That settlement agreement disposes of several issues of controversy between Calumet Transload Railroad and the City. As part of the settlement, Calumet Transload Railroad agrees to dismiss its petition to the STB for declaratory order. The parties have also agreed that each will bear its own costs and attorney's fees.

WHEREFORE, Calumet Transload Railroad LLC respectfully moves the STB to dismiss this petition for declaratory order, with prejudice, each party to bear its own costs and attorney's fees, and for such other relief as the STB deems appropriate.

Respectfully submitted,

CALUMET TRANSLOAD RAILROAD LLC

By:   
One of its attorneys

Dated: October 27, 2015

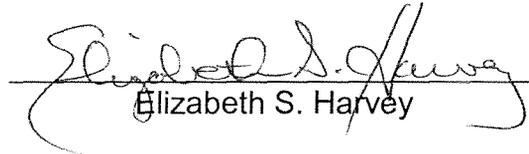
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of October 2015, I served the following with this document via Federal Express overnight delivery:

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