

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1890
CHICAGO, ILLINOIS 60604-1112
TELEPHONE (312) 236-0204
FAX (312) 201-9695
mcfarland@aol.com

THOMAS F. MCFARLAND

October 21, 2013

234987
ENTERED
Office of Proceedings
October 21, 2013
Part of
Public Record

By e-filing

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: STB Docket No. NOR 42138, *Horry County, South Carolina, et al. v. Baltimore and Annapolis Railroad Company, d.b.a. Carolina Southern Railroad Company*

Dear Ms. Brown:

Defendant's Answer to the Complaint in the above proceeding was filed on September 24, 2013. Pursuant to 49 C.F.R. § 1111.10(a), 12 days thereafter, i.e., by October 7, 2013, (the previous day being a Sunday), the parties were required to meet, or discuss by telephone, discovery and procedural matters.

By virtue of the same regulation, 19 days after the Answer was filed, i.e., by October 15, 2013 (the previous two days being a Sunday and a National Holiday), the parties, either jointly or separately, were required to file a report with the Board setting forth a proposed procedural schedule to govern future activities and deadlines in the case.

The Board's offices were closed on both of the dates referred to above due to the Government Shutdown.

In a Notice issued on October 18, 2013, in Docket No. EP 721, *New Deadlines For Material Due To Be Submitted During The Federal Government Shutdown*, the Board stated that any material due to be submitted to the Board during the shutdown is due no later than October 24, 2013.

During the Government Shutdown, Defendant in the above case asked Complainants to agree to a two-week extension of the dates provided for in 49 C.F.R. § 1111.10(a) for discussion of discovery and procedural matters and for filing of a proposed procedural schedule. Complainants agreed to that request.

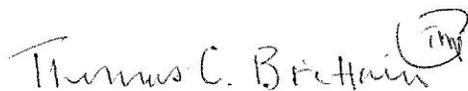
THOMAS F. MCFARLAND

Ms. Cynthia T. Brown
October 21, 2013
Page 2

Accordingly, this is to respectfully request a two-week extension of those dates, with such extension to run from the October 24, 2013 due date provided for in Docket No. EP 721, *supra*. If the requested two-week extension were to be granted, the deadline for discussion of discovery and procedural matters would be November 5, 2013 (12 days after October 24, 2013), and the deadline for filing a proposed procedural schedule would be November 12, 2013 (19 days after October 24, 2013).

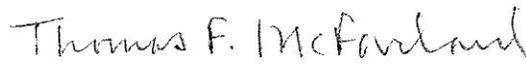
Please advise.

Respectfully submitted,



Thomas C. Brittain
The Brittain Law Firm, P.A.
4614 Oleander Drive
Myrtle Beach, SC 29577

Attorney for Defendant



Thomas F. McFarland
Thomas F. McFarland, P.C.
208 S. LaSalle St., #1890
Chicago, IL 60604-1112

Attorney for Complainant

TMcF:kl:\1608\efSTB4.NOR42138

cc: Mr. Doug Wendel, dpw5335@gmail.com
Dennis Worley, Esq., dennisworley@wwpemplaw.com
Thomas C. Brittain, Esq., allison@brittainlawfirm.com