

ENTERED
Office of Proceedings
June 30, 2016
Part of
Public Record

Before the
SURFACE TRANSPORTATION BOARD
Washington, D.C. 20423

STB Docket No. FD36031

Status of the Former Spur Line at 125 Paul Avenue,
San Francisco, California

**MOTION TO WITHDRAW
PETITION FOR DECLARATORY ORDER
BY
400 PAUL WAVE EXCHANGE, LLC**

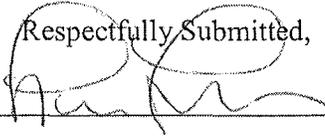
400 Paul Wave eXchange, LLC (“400 Paul Wave”), a limited liability company with offices at 2999 Oak Road, Suite 400 Walnut Creek, California hereby moves to withdraw its Petition for Declaratory Order filed with the STB Office of Proceedings on May 4, 2015 seeking a ruling that the spur line located at 125 Paul Avenue in San Francisco, California is de facto abandoned.

As a result of negotiations held after the filing 400 Paul Wave’s Petition for Declaratory Order, 400 Paul Wave and Union Pacific Railroad (“UP”) have reached an agreement that resolves their dispute regarding the slope easement benefiting the now-absent spur line. The settlement agreement is to be completed not later than July 12, 2016.

Except for 400 Paul Wave, whose interests have now been satisfied, no other party sought the relief requested from the Petition for Declaratory Order.

Accordingly, 400 Paul Wave moves to withdraw its Petition for Declaratory Order.
Further, 400 Paul Wave requests an expedited decision from the STB, which would allow the transactions relating to 400 Paul to proceed by their July 12, 2016 deadline.

Respectfully Submitted,



Lisa Freilicher, General Counsel
400 Paul Wave eXchange, LLC
2999 Oak Road, Suite 400
Walnut Creek, California 94597

Dated: 6/29/2016

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I am a citizen of the United States and employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 895 Dove Street, 5th Floor, Newport Beach, California 92660. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On June 30, 2016, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

MOTION TO WITHDRAW PETITION FOR DECLARATORY ORDER

BY 400 PAUL WAVE EXCHANGE, LLC

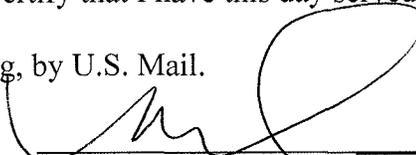
in a sealed envelope, postage fully paid, addressed as follows:

Robert M. Krantz
Union Pacific Railroad Company
2603 Camino Ramon, Ste. 200
San Ramon, CA 94583

Union Pacific Railroad Company
c/o CT Corporation System
818 West Seventh St., Ste. 930
Los Angeles, CA 90017

Jeremy M. Berman
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, NE 68179

I certify that I have this day served copies of document upon all parties of record in this proceeding, by U.S. Mail.

Signature 

Date 6/30/2016

Martha Ramirez