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Before the
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO: 34869

HONEY CREEK RAILROAD, INC.
PETITION FOR DECLARATORY ORDER

UNOPPOSED REQUEST TO EXTEND DATE OF ROBERTS' REPLY

ENTERED
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Company, Inc., Roberts
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Dated: November 16, 2006

CERTIFICATE OF SERVICE

I hereby certify that I have this 16th day of November, 2006 served a copy of the Unopposed Request to Extend Date of Roberts' Reply upon the following via facsimile and first class United States Mail, postage prepaid:

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Roberts Construction, Inc.

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Pursuant to the Board's September 19, 2006 order, Roberts received an extension of time in which to file his reply to the Petition for Declaratory Order of Honey Creek Railroad, Inc. That reply is currently due on November 20, 2006. In light of the fact that the parties continue to be involved in ongoing settlement discussions and discovery, Roberts requests, and Honey Creek Railroad, Inc. does not oppose, a two-month extension of the date for Roberts' reply brief to January 18, 2007. The requested extension will permit the accomplishment of remaining discovery efforts and the conclusion of settlement discussions.

Dated November 16, 2006

Respectfully submitted,
ACKERSON KAUFFMAN FEX, PC

By: 

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