

36070
SEC

SERVICE DATE – JULY 29, 2005

Surface Transportation Board

Washington, DC 20423-0001

July 27, 2005

STB Finance Docket No. 34509

**KAW RIVER RAILROAD, INC.
– ACQUISITION AND OPERATION EXEMPTION –
THE KANSAS CITY SOUTHERN RAILWAY COMPANY**

N O T I C E

A court action, entitled as shown below,

was instituted on or about July 5, 2005,

involving the above-titled proceeding:

No. 05-1233

**Brotherhood of Locomotive Engineers and Trainmen,
A Division of the Rail Conference-International Brotherhood of Teamsters**

v.

Surface Transportation Board and United States of America

*before the
United States Court of Appeals for the District of Columbia Circuit*

**Vernon A. Williams
Secretary**