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SEC

SERVICE DATE - SEPTEMBER 17, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 41777<sup>1</sup>

FRIENDLY ICE CREAM CORPORATION

v.

ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41780

THE C. R. GIBSON COMPANY

v.

ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41784

JOHNSON & JOHNSON AND MCNEIL-PPC, INC.

v.

ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41785

REVLON CONSUMER PRODUCTS CORPORATION

v.

ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41789

DEL LABORATORIES, INC.

v.

ST. JOHNSBURY TRUCKING COMPANY, INC.

Decided: September 12, 1997

These proceedings arise out of the efforts of St. Johnsbury Trucking Company, Inc. (defendant) to collect undercharges for certain transportation services performed on behalf of Friendly Ice Cream Corporation, The C. R. Gibson Company, Johnson & Johnson and McNeil-PPC, Inc., Revlon Consumer Products Corporation, and Del Laboratories, Inc. (complainants). These matters are before the Board on referral from the United States District Court for the Southern District of New York.

By decisions served July 17, 1996, the Board established procedural schedules in these proceedings. Complainants' opening statements were due on July 18, 1997. Board records, however, indicate that complainants' have not filed their opening statements. Accordingly, complainants are directed to file their opening statements by October 7, 1997, or show cause why these proceedings should not be dismissed.

It is ordered:

1. Complainants are directed to file their opening statements on or before October 7, 1997, or show cause, why their respective proceedings should not be dismissed.

2. If complainants file their opening statements, defendant's reply statements will be due on November 6, 1997, and complainants' rebuttal statement will be due on November 26, 1997.

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<sup>1</sup> These proceedings are not consolidated. A single decision is being issued for administrative convenience.

3. This decision is effective on the service date.

4. A copy of this decision will be mailed to:

The Honorable Sonia Sotomayor  
United States District Court for the Southern District of New York  
500 Pearl Street, Room 1340  
New York, NY 10038

Re: Civil Case No. 95 CIV 5184(SS),  
Adv. Nos. 95/9236A, 95/9344A,  
95/9597A, 95/9354A, and 95/9566A

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary