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SEC

SERVICE DATE - FEBRUARY 11, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 42019

GUITTARD CHOCOLATE COMPANY--PETITION FOR DECLARATORY ORDER--  
CERTAIN RATES AND PRACTICES OF WILLIG FREIGHT LINES, INC.

Decided: February 6, 1998

This proceeding arises out of the efforts of Willig Freight Lines, Inc., to collect undercharges for certain transportation services performed on behalf of Guittard Chocolate Company (petitioner). The matter is before the Board on referral from the United States Bankruptcy Court for the Northern District of California.

By decision served October 3, 1997, the Board established a procedural schedule in this proceeding. Subsequently, by decision served January 27, 1998, the Board directed petitioner to show cause why this proceeding should not be dismissed.

By letter filed February 5, 1998, petitioner advised the Board that the case was settled and the underlying court case has been dismissed by court order dated December 15, 1997. Accordingly, petitioner requests that this proceeding be dismissed. The request will be granted.

It is ordered:

1. This proceeding is dismissed.
2. This decision is effective on its service date.
3. A copy of this decision will be mailed to:

The Honorable Dennis Montali  
United States Bankruptcy Court for the  
Northern District of California  
P. O. Box 7341  
San Francisco, CA 94120

Re: Chapter 11 Case No. ND 95-33940-DM,  
Adv. Pro. No. 97-3194-DM

STB No. 42019

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary