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SEC

SERVICE DATE - LATE RELEASE NOVEMBER 18, 1996

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 41905

MODINE MANUFACTURING COMPANY  
V.  
BE-MAC TRANSPORT COMPANY, INC.

Decided: November 13, 1996

By decision served September 6, 1996, a procedural schedule was established in this proceeding. Subsequently, by decision served October 29, 1996, the Board held this proceeding in abeyance pending complainant's request for further action.

By letter filed November 8, 1996, complainant submitted a copy of the referring court's November 1, 1996, stipulated ' order for dismissal dismissing the underlying court proceeding with prejudice. Complainant therefore requests dismissal of this proceeding. The request will be granted.

It is ordered:

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

The Honorable David P. McDonald  
United States Bankruptcy Court for  
the Eastern District of Missouri, Eastern Division  
One Metropolitan Square  
211 N. Broadway, 7th Floor  
St. Louis, MO 63102

Re: Case No. 93-400-22-293,  
Adv. No. 95-4063-293

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary