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SEC

SERVICE DATE – NOVEMBER 20, 2007

SURFACE TRANSPORTATION BOARD

NOTICE

STB Finance Docket No. 35036

SUFFOLK & SOUTHERN RAIL ROAD LLC-LEASE AND OPERATION EXEMPTION-
SILLS ROAD REALTY, LLC

The following court action was instituted, on or about November 9, 2007, in the United States Court of Appeals for the Second Circuit, seeking judicial review of the Board's decision in the above-titled proceeding:

No. 07-5007-ag

Sills Road Realty, LLC, Suffolk and Southern Railroad, LLC,
U.S. Rail Corporation

v.

Surface Transportation Board and United States of America

Vernon A. Williams
Secretary