

33937
SEC

SERVICE DATE - AUGUST 21, 2003

Surface Transportation Board

Washington, DC 20423

August 18, 2003

STB Finance Docket No. 34079

**SAN JACINTO RAIL LIMITED CONSTRUCTION EXEMPTION –
AND THE BURLINGTON NORTHERN AND SANTA FE RAILWAY
COMPANY OPERATION EXEMPTION–BUILD-OUT TO THE
BAYPORT LOOP NEAR HOUSTON, HARRIS COUNTY, TEXAS**

N O T I C E

Court actions, entitled as shown below,
were instituted on or about August 12, 2003,
involving the above-titled proceeding:

No. 03-60652

City of Houston, Texas

v.

Surface Transportation Board and United States of America

and

No. 03-60658

**Galveston Bay Conservation And Preservation Association;
League of United Latin American Citizens**

v.

Surface Transportation Board and United States of America

*before the
United States Court of Appeals for the Fifth Circuit*

**Vernon Williams
Secretary**