

28792
SEC

SERVICE DATE - JANUARY 12, 1998

SURFACE TRANSPORTATION BOARD

DECISION

No. 41782¹

THE GILLETTE COMPANY
v.
ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41786

THOMAS INDUSTRIES, INC.
v.
ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41788

BROWN & WILLIAMSON TOBACCO CORPORATION
v.
ST. JOHNSBURY TRUCKING COMPANY, INC.

Decided: January 7, 1998

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 The Gillette Company, Thomas Industries, Inc., and Brown & Williamson Tobacco Corporation (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. Subsequently, by decision served December 5, 1997, the Board directed complainants to show cause why these proceedings should not be dismissed.

By letters filed December 24, 1997, complainants advised the Board that the court cases have been dismissed with prejudice. Accordingly, complainants request dismissal of these proceedings. The requests will be granted.

It is ordered:

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

1. These proceedings are dismissed.
2. This decision is effective on its service date.
3. 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 6956(SS), Adv. No. 95/9653A,
Civil Case No. 95 CIV 5783(SS), Adv. No. 95/9401A, and
Civil Case No. 95 CIV 5383(SS), Adv. No. 95/9538A

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary