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SEC

SERVICE DATE – FEBRUARY 26, 2009

SURFACE TRANSPORTATION BOARD

NOTICE

STB Finance Docket No. 34284

SOUTHWEST GULF RAILROAD COMPANY—CONSTRUCTION AND OPERATION
EXEMPTION—IN MEDINA COUNTY, TX

The following court action was instituted, on or about February 17, 2009, in the United States Court of Appeals for the Fifth Circuit, seeking judicial review of the Board's decision in the above-titled proceeding:

No. 09-60108

Medina County Environmental Action Association

v.

Surface Transportation Board; United States Fish and Wildlife Service

Anne K. Quinlan
Acting Secretary