

SERVICE DATE - OCTOBER 10, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 41777<sup>1</sup>

FRIENDLY ICE CREAM CORPORATION  
v.  
ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41780

THE C. R. GIBSON COMPANY  
v.  
ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41784

JOHNSON & JOHNSON AND MCNEIL-PPC, INC.  
v.  
ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41785

REVLON CONSUMER PRODUCTS CORPORATION  
v.  
ST. JOHNSBURY TRUCKING COMPANY, INC.

No. 41789

DEL LABORATORIES, INC.  
v.  
ST. JOHNSBURY TRUCKING COMPANY, INC.

Decided: October 7, 1997

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 Friendly Ice Cream Corporation, The C. R. Gibson Company, Johnson & Johnson and McNeil-PPC, Inc., Revlon Consumer Products Corporation, and Del Laboratories, Inc. (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 September 17, 1997, the Board directed complainants to show cause why these proceedings should not be dismissed.

By letters filed October 6, 1997, complainants advised the Board that the underlying court cases have been dismissed with prejudice. Accordingly, complainants request dismissal of these proceedings. The requests will be granted.

It is ordered:

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<sup>1</sup> 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 the 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 5184(SS),  
Adv. Nos. 95/9236A, 95/9344A,  
95/9597A, 95/9354A, and 95/9566A

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary