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Service Date- December 18, 1996

SEC

SURFACE TRANSPORTATION BOARD
DECISION
S.B. No. 41725

KIWI BRANDS, INC.--PETITION FOR DECLARATORY ORDER--
CERTAIN RATES AND PRACTICES OF FRIEDMAN'S EXPRESS, INC.

Decided: December 13, 1996

By decision served May 23, 1996, a procedural schedule was established in this proceeding. Subsequently by decision served November 27, 1996, petitioner was directed to file its opening statement or show cause why this proceeding should not be dismissed.

By letter filed December 10, 1996, petitioner advised the Board that the lawsuit from which this proceeding arises has been settled by the parties. Accordingly, petitioner requests that this proceeding be dismissed.

The request will be granted

It is ordered:

1. This proceeding is dismissed.

2. This decision is effective on the service date.

3. A copy of this decision will be mailed to:

The Honorable Thomas M. Twardowski United States Bankruptcy Court for
the Eastern District of Pennsylvania Madison Building, Suite 301 400 Washington Street
Reading, PA 19601.

Re: Case No. 93-21066T, Adv. No. 95-2109

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

