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SEC

SERVICE DATE - JULY 15, 1997

SURFACE TRANSPORTATION BOARD

DECISION

No. 41667

THE CLARK GRAVE VAULT COMPANY
v.
CONSOLIDATED RAIL CORPORATION

Decided: July 14, 1997

This proceeding arises out of a complaint filed by The Clark Grave Vault Company (complainant) against Consolidated Rail Corporation (defendant). The matter is before the Board on referral from the United States District Court, Southern District of Ohio, Eastern Division, in *Consolidated Rail Corporation v. The Clark Grave Vault Co.*, Case No. C-2-94-1135.

By motion filed July 8, 1997, complainant advised the Board that the parties have arrived at a comprehensive settlement of all issues and requested that the complaint be dismissed with prejudice. Complainant stated that defendant does not oppose the request. The request will be granted and the proceeding will be discontinued.

It is ordered:

1. This complaint is dismissed with prejudice and the proceeding is discontinued.
2. This decision is effective on its service date.
3. A copy of this decision will be mailed to:

The Honorable Joseph P. Kinneary
United States District Court,
Southern District of Ohio, Eastern Division
319 U.S. Courthouse
85 Marconi Boulevard
Columbus, OH 43215

Case No. C-2-94-1135

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary