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September 17, 2012

Cynthia T. Brown
Chief of Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

233024

Re: **Update on related litigation**
Oregon Pacific Railroad
STB Case no. FD 35625
Our File No. 49979-70698

TEGAN D. SCHLATTER

Dear Ms. Brown:

Admitted in:
Oregon

In the Board's September 10, 2012 institution of a declaratory order proceeding in the above captioned matter, the Board noted that a municipal court case in the City of Milwaukie was pending. We write this letter to clarify that on motions of both parties the municipal court trial set for July 23, 2012 was stayed pending the outcome of this declaratory order proceeding.

Direct Dial
(503) 598-5584

This letter is written only to convey information regarding the status of the municipal court proceeding. We do not offer it as a substantive brief, and wish to retain all rights to reply to any arguments Oregon Pacific Railroad Company may file with the Board.

E-mail
tegan.schlatter@jordanramis.com

Sincerely,

JORDAN RAMIS PC

Tegan D. Schlatter

cc: City of Milwaukie (via e-mail)
Thomas McFarland (via First Class Mail)

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Office of Proceedings

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