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January 13, 2014

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ENTERED

Office of Proceedings
January 14, 2014
Part of
Public Record

Cynthia T. Brown
Chief, Section Of Administration
Surface Transportation Board
Office Of Proceedings
395 E St., SW, Room # 100
Washington, DC. 20423-0001

**Re: Consolidated Rail Corp.-Abandonment Exemption-Hudson County,
NJ, STB Docket: A.B. 167 (Sub- No. 1189X)**

Dear Ms. Brown:

We respectfully suggest that neither your agency, nor the parties in this matter, will benefit from a further exchange of correspondence between Conrail and its adversaries represented by Mr. Montagne. A broad range of unresolved disputes is pending in our appeal in the DC Circuit Court Of Appeals, including a filed copy of the 2007 agreement between Conrail and our clients to which he refers.

Therefore, we respectfully request that the recent letters, including Mr. Montagne's, be stricken from the record and that you direct the parties to abate litigating this matter by further correspondence directed to your agency on the pending motions.

Very truly yours,

WATERS, McPHERSON, McNEILL, P.C.

BY:



DANIEL E. HORGAN

See Service List Attached
785509

I, Daniel E. Horgan, an attorney-at-law of New Jersey, New York, and the District of Columbia, hereby certify that on January 14, 2014, I caused service of this filing with the Surface Transportation Board to be made upon the Board by Electronic Filing and that all parties on the following service list were served by First Class Mail in accordance with the provisions of 49C.F.R. §1104.12 with the sole exception of those whose present addresses are Unknown.

DATED: January 14, 2014

s/ Daniel E. Horgan
Daniel E. Horgan

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