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September 25, 2013

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By E-Filing

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20024

234890
ENTERED
Office of Proceedings
September 25, 2013
Part of
Public Record

RE: Horry County, South Carolina, et al vs. Baltimore and Annapolis Railroad
Company d/b/a Carolina Southern Railroad Company, Defendant
Docket No. NOR 42138

Dear Ms. Brown:

Our firm represents the Defendant in the above-referenced matter.

On September 11, 2013 a Petition for Leave to Intervene of New South Companies, Inc. was filed in this matter by Thomas F. McFarland, Esquire.

To the extent this petitioner has requested permission to intervene in this proceeding, Defendant has no objection and stands on its formal answer.

With warm regards, I am
Yours truly,

THE BRITTAIN LAW FIRM, P.A.



Thomas C. Brittain and A. Preston Brittain
TCB/APB/all

cc: Michael F. McBride, Esq. (mfm@vnf.com)
Thomas F. McFarland, Esq. (mcfarland@aol.com)
Mike Ogborn (mike@ogbornconsultinggroup.com)
James Burnley (jhburnley@venable.com)

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. NOR 42138

HORRY COUNTY, SOUTH CAROLINA,
MARION COUNTY, SOUTH CAROLINA,
COLUMBUS COUNTY, NORTH CAROLINA,
CITY OF CONWAY, SOUTH CAROLINA,
TOWN OF FAIR BLUFF, NORTH CAROLINA,
TOWN OF CHANDBOURN, NORTH
CAROLINA, TOWN OF TABOR CITY, NORTH
CAROLINA, CITY OF WHITEVILLE, NORTH
CAROLINA

CERTIFICATE OF SERVICE

AND

METGLASS, INC.

Complainants,

v.

THE BALTIMORE AND ANNAPOLIS
RAILROAD COMPANY, d.b.a. CAROLINA
SOUTHERN RAILROAD COMPANY

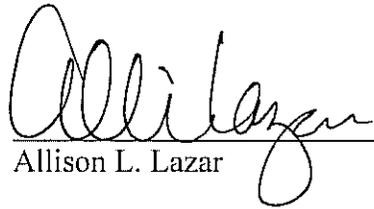
Defendant.

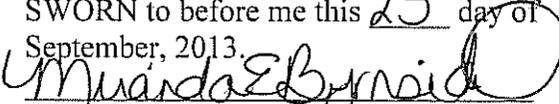
I, Allison L. Lazar, hereby certify that I am an employee of The Brittain Law Firm, P.A., attorney for Defendant The Baltimore and Annapolis Railroad Company d.b.a. Carolina Southern Railroad Company and that I caused to be mailed by electronic mail and by U.S. first class mail this day, September 25, 2013, the documents listed below in the above entitled action to the parties set out below:

DOCUMENTS: Defendant's Reply to Petition for Leave to Intervene of New South Companies, Inc.

PARTIES: Thomas F. McFarland, Esquire
Thomas F. McFarland, P.C.
208 South LaSalle Street, Suite 1890
Chicago, IL 60604-1112

Michael F. McBride, Esquire
Van Ness Feldman, LLP
1050 Thomas Jefferson Street,
NW, Suite 700
Washington, DC 20007-3877


Allison L. Lazar

SWORN to before me this 25th day of
September, 2013.

Notary Public for South Carolina
My Commission Expires: May 9, 2023
