

*Via Electronic Filing*

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February 12, 2015

Cynthia Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

**ENTERED**  
**Office of Proceedings**  
**February 12, 2015**  
**Part of**  
**Public Record**

Re: STB Finance Docket No. 35817, JGB Properties, LLC – Petition for Declaratory Order – Woodard Industrial Railroad Operations

Dear Ms. Brown:

In a self-styled “Response” filed on February 5, 2015, JGB Properties, LLC (“JGB”) claimed that a prior Reply filed by Ironwood, LLC and Steelway Realty Corporation (collectively, “Ironwood/Steelway”) on January 16, 2015 in the above-captioned docket was untimely.<sup>1</sup> See Response at p. 1 (n. 1). The Board should reject JGB’s claim of untimeliness.

The Request for Extension of Time filed by CSX Transportation, Inc. (“CSXT”) on December 19, 2014 clearly reveals that counsel for CSXT was in communication with counsel for Ironwood/Steelway regarding the extension. Discussions with CSXT counsel during December confirmed that the Request was intended to apply to all parties. Further, it would be inequitable for the Board to not accept the Ironwood/Steelway Reply and no prejudice to JGB will result from such acceptance, as no procedural schedule has been issued in this docket and JGB has already responded to the Reply.

JGB continues to make repetitive filings in this docket that simply reassert the same arguments that have already been responded to by Ironwood/Steelway and CSXT, or that include factual allegations that are immaterial to resolving the issues raised in the Petition for Declaratory Order. Accordingly, other than JGB’s claim of untimeliness, there is nothing new in the “Response” that warrants further reply by Ironwood/Steelway.

Respectfully submitted,



Karyn A. Booth  
David E. Benz

*Attorneys for Ironwood, LLC and Steelway Realty Corporation*

cc: Counsel for JGB Properties, LLC  
Counsel for CSX Transportation, Inc.

<sup>1</sup> Ironically, JGB’s Response is the only inappropriate filing since it constitutes a Reply to a Reply which is not permitted under the STB’s rules. See 49 CFR § 1104.13(c).