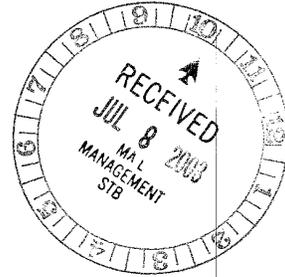




208 308



Frank J. Reed, Jr.  
Writer's Direct Dial: (614) 233-9304  
Writer's Email: freed@bfca.com

July 7, 2003

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K. Street, N.W.  
Washington, D.C. 20423

Re: Docket No. AB-55 (Sub-No. 361X), *CSX Transportation, Inc. – Abandonment Exemption – in Summit County, Ohio*

Dear Sir:

I am enclosing an original and ten (10) copies of the Petition to Revoke CSX's Notice of Exemption from Abandonment Procedures Based Upon False and/or Misleading Information for filing in the above-referenced proceeding. An additional copy is enclosed for date stamp and return to our office. I have enclosed a self-addressed, stamped envelope for your convenience. Please note that a 3.5 in. diskette is enclosed with this document.

If you have any questions or need any additional information, please do not hesitate to contact me.

ENTERED  
Office of Proceedings

JUL 09 2003

Part of  
Public Record

Very truly yours,

Frank J. Reed, Jr.

FJR:mja

Enclosures

**FEE RECEIVED**

JUL 8 2003

SURFACE  
TRANSPORTATION BOARD

**FILED**

8 2003

SURFACE  
TRANSPORTATION BOARD

Cleveland: 2300 BP Tower ▶ 200 Public Square ▶ Cleveland, Ohio 44114-2378 ▶ Phone: (216) 363-4500 ▶ Fax: (216) 363-4588

Columbus: 88 East Broad Street ▶ Suite 900 ▶ Columbus, Ohio 43215-3506 ▶ Phone: (614) 223-9300 ▶ Fax: (614) 223-9330

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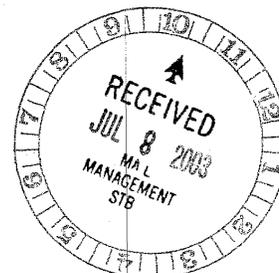
**FEE RECEIVED**

JUL 8 2003

BEFORE THE

**SURFACE  
TRANSPORTATION BOARD**

**SURFACE TRANSPORTATION BOARD**



Docket No. AB-55 (Sub No. 631X)

**CSX TRANSPORTATION, INC. –  
ABANDONMENT EXEMPTION –  
IN SUMMIT COUNTY, OHIO**

**PETITION TO REVOKE CSX'S NOTICE OF EXEMPTION FROM ABANDONMENT  
PROCEDURES BASED UPON FALSE AND/OR MISLEADING INFORMATION**

**FILED**

JUL 8 2003

**SURFACE  
TRANSPORTATION BOARD**

Eric Larson Zalud (Ohio Atty. Reg. No. 0038959)  
Frank J. Reed, Jr. (Ohio Atty. Reg. No. 0055234)  
BENESCH, FRIEDLANDER COPLAN &  
ARONOFF, LLP  
88 E. Broad Street, Suite 900  
Columbus, Ohio 43215  
(614) 223-9300/(614) 223-933 (Fax) (Columbus)  
(216) 363-4178/(216) 363-4588(Fax) (Cleveland)

Counsel for Petitioner Terminal Warehouse, Inc.

Dated: July 3, 2003

**A. Introduction**

Now comes Terminal Warehouse, Inc. ("Terminal Warehouse"), by and through the undersigned counsel, and petitions the Surface Transportation Board (the "Board") to immediately revoke the exemption, filed March 25, 2003, wherein CSX Transportation, Inc. ("CSX") proposed to abandon the single remaining rail line which provides rail access to Terminal Warehouse and other shippers located in Akron, Summit County, Ohio. Terminal Warehouse submits that CSX's Notice of Exemption contained false and/or misleading information and otherwise failed to disclose critical facts to this Board. On this basis, and pursuant to 49 CFR 1152.50(d)(3), Petitioner submits that the notice of exemption should be summarily rejected by the Board on the basis that said notice was void *ab initio*. Moreover, under 49 U.S.C. 10502(d), Petitioner requests that the Board find that the continued existence of this line is necessary to carry out the rail transportation policy set forth in 49 U.S. 10101. Therefore, Petitioner requests that the Board immediately revoke the exemption.

**B. Background Facts**

Terminal Warehouse is a public/contract storage and distribution company located in Akron, Summit County, Ohio. Terminal Warehouse currently operates three facilities in the Akron, Ohio area. One of the facilities is located 989 Home Avenue Akron, Ohio 44310, and occupies approximately 137,000 square feet. Until the events described more fully herein, the Home Avenue facility and the Marvo Drive facility have enjoyed access to one or more railroad lines. (*See* Affidavit of Bill Hanlon attached as **EXHIBIT 1**).

Terminal Warehouse employs 69 employees. *Id.* Terminal Warehouse, Inc. has operated the Home Avenue facility since approximately 1989. *Id.* Company records indicate that the facility has received regular railroad traffic for several years, at least since the mid-1960's. *Id.*

Shippers typically transport goods or raw materials to Terminal Warehouse's facilities by truck or by rail for storage and distribution. *Id.* Transportation by rail is cheaper and more efficient because a rail car can hold two and one half times the capacity of material as one regular truck load can. *Id.*

During the last several years, several shippers have transported raw materials or goods to Terminal Warehouse's Home Avenue facility on several occasions. *Id.* The only access for rail traffic to Terminal Warehouse is the line of railroad which includes the line from former Conrail Milepost 11.49 to a point 150 feet from the point of switch at or near former Conrail post 11.56, known as the Lumber Lead, (hereinafter, the "Line"), a distance of approximately 0.07 of a mile, which traverses through United States postal service ZIP Code 44305 in Summit County, Ohio. *Id.* Company records indicate that the most recent shipment made by rail across this line was sent by NYCO on or about January 20, 2001. *Id.* The rail carrier for that shipment was CSX. *Id.*

In approximately September, 2001, Terminal Warehouse learned that at some point earlier in the summer of 2001, AT&T had been installing a cable along the rail line right-of-way and damaged the rail trestle owned and operated by CSX. *Id.* The rail trestle passes over Eastwood Avenue near the intersection of Eastwood and Home Avenues in Akron, Ohio. *Id.* All train traffic destined for Terminal Warehouse must pass over this trestle. *Id.*

Unbeknownst to Terminal Warehouse, on or about August 2, 2002, CSX declared this rail line corridor unsafe, due to the damage, and apparently embargoed the line. *Id.* At no time did CSX ever send written notice to Terminal Warehouse of this incident or of CSX's determination that the line was unsafe for rail traffic. *Id.* However, Terminal Warehouse knew

that it could not accept goods or raw materials by rail, as this rail corridor is the only access for railroad traffic to its facility. *Id.*

Sometime in late July or early August, 2002, Terminal Warehouse learned that CSX completely removed the rail trestle and a portion of the railroad lines leading to Terminal Warehouse's Home Avenue facility along Eastwood. *Id.* At no time did CSX notify Terminal Warehouse, any government agency or this Board, either verbally or in writing of CSX's intention to remove this trestle. *Id.*

On March 26, 2003, CSX filed with the Board a Notice of Exemption pursuant to 49 CFR Part 1152. The purported basis of the Exemption Notice was that: "no local traffic has moved over the line for at least two years, there is no overhead traffic on the line, no formal complaint filed by a user of rail service on the line (or state or local government agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period."

CSX did not notify anyone of the damage to the trestle, the embargo, or the fact that in late July or early August, 2002, CSX removed part of its rail structure, thereby preventing local traffic from moving across this line. *Id.* CSX did not so notify anyone of these facts before it took these actions, nor did CSX disclose this material fact in its Notice of Exemption filed with the Board March 26, 2003. *Id.*

As is more fully explained herein, Terminal Warehouse and its customer shippers have been harmed and will continue to suffer harm if this rail abandonment is not revoked by this Board, and rail service is not eventually restored.

In addition to the rail traffic which will be lost, another shipper, B & F Polymers Company, is temporarily storing two rail "hopper" cars on rail siding owned by Terminal

Warehouse. *Id.* The only access to the rail siding owned by Terminal Warehouse is through the Line proposed to be abandoned by CSX. *Id.* If the rail Line is abandoned, the rail cars will be permanently isolated. *Id.* Further, if this rail Line is permitted to be abandoned, neither B & F Polymers nor Terminal Warehouse will ever have the ability to move or otherwise use these two hopper cars for anything other than perpetual storage. *Id.*

### *C. Law and Argument*

Normally, rail carriers must follow certain procedures in order to obtain the permission of this Board to abandon a rail line. 49 U.S.C. 10903. Under the normal abandonment procedures, a rail carrier is required to notify “significant users of the line.”

49 U.S.C. § 10903 states in part:

A rail carrier providing transportation \* \* \* who intends to

- (A) abandon any part of its railroad lines; or
- (B) discontinue the operation of all rail transportation over any part of its railroad lines, must file an application thereof with the Board.

The application must contain certain information and must be sent by certified mail to the “Chief Executive Officer” of each State that would be directly affected by the proposed abandonment or discontinuance; post a copy of the notice in each terminal and station on each portion of the railroad line proposed to be abandoned or over which all transportation is to be discontinued; publish a copy of the notice for three consecutive weeks in a newspaper of general circulation in each county in which each such portion is located; mail a copy of the notice, to the extent practicable to all shippers that have made significant use of the railroad line during the 12 months preceding the filing of the application; and attach an affidavit certifying that these conditions have been satisfied within the most recent 30-days prior to the date the application is filed. *Id.* at §10903(a)(3).

A rail carrier may abandon or discontinue operation only if the Surface Transportation Board finds that the “present or future public convenience and necessity require or permit the abandonment or discontinuance.” 49 U.S.C. 10903(d). In making this determination, the Board must consider whether the abandonment or discontinuance will have a “serious, adverse impact on rural and community development.” *Id.*

However, Congress has provided that a rail carrier can be exempt from the normal abandonment procedures if the rail carrier certifies that it meets certain conditions. 49 U.S.C. 10502. Under the exempt abandonment procedures, the rail carrier is not required to notify significant users of the line. In order to qualify for the exempt procedure, the rail carrier must certify the following information:

An abandonment or discontinuance of service or trackage rights is exempt if the carrier certifies that no local traffic has moved over the line for at least two years and any overhead traffic on the line can be rerouted over other lines and that no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or any U.S. District Court or has been decided in favor of the complainant within the 2-year period. The complaint must allege (if pending) or prove (if decided) that the carrier has imposed an illegal embargo or other unlawful impediment to service.

49 CFR 1152.50(b)

But, if the notice of exemption contains false or misleading information, the use of the exemption is *void ab initio* and the Board shall summarily reject the exemption notice. 49 CFR 1152.50(d)(3). Moreover, under 49 U.S.C. 10502(d), the Board may revoke the exemption (in whole or as it applies to a particular line) if the Board finds that the regulation is necessary to carry out the rail transportation policy set forth in 49 U.S. 10101.

A line is considered “out-of-service” when no traffic has originated or terminated on the line for at least two years. *Exempt of Out of Service Rail Lines*, 2 I.C.C.2d 146 (1986) (Exemption) *aff’d sub nom. Illinois Commerce Comm’n v. I.C.C.*, 848 F. 2d 1246 (D.C. Cir., 1988) cert. den. 488 U.S. 1004 (1989). The party seeking revocation has the burden of proof, and petitions to revoke must be based upon reasonable, specific concerns. *CSX Transp., Inc.-Baan.-In Randolph County, WV*, 9 I.C.C. 2d 447 (1992).

When it is shown that a carrier falsely certifies that no traffic moved on a line, the notice of exemption is declared void *ab initio* under 49 CFR 1150.50(d)(3). *See The St. Lois Southwestern Railway Company—Abandonment Exemption—In Gasconade, Maries, Osage, Miller, Cole, Morgan, Benton, Pettis, Henry, Johnson, Cass and Jackson Counties, MO*, Docket No. AB-39-(Sub-No. 18X), (ICC served April 1, 1994); *Southrail Corporation—Abandonment Exemption—Between Laurel and Bay Springs, MS, in Jones and Jasper Counties, MS*, Docket No. AB-301 (SubNo. 2X) (ICC served Jan. 27, 1989).

CSX certified that no local traffic has moved over the Line for at least two years. CSX filed its Notice on March 26, 2003. The last shipment on the Line was January 20, 2001. *However, the rail Line had been declared unusable since late July or August, 2002 due to CSX’s embargo of the Line.* So, although it is *technically* true that no traffic had moved over the Line for two years prior to the filing of the notice of exemption, this statement was very misleading. The truth is that after CSX embargoed the Line, it was *impossible* for local rail traffic to move over the Line. CSX had a duty to repair the Line in a timely fashion. CSX should not be *rewarded* for its failure to promptly repair the Line and provide service. Likewise, CSX should not be allowed to now *take advantage* of the Notice Abandonment Exemption procedures. Such

action would be unfair to the shippers in this area and be contrary to the rail transportation policy set forth in 49 U.S. 10101.

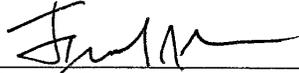
Courts have held that a rail carrier cannot engage in an unlawful or unreasonable embargo, and then simply abandon a rail line. *See GS Roofing Products Co., Inc. v. Surface Transportation Board*, 143 F.3d 387 (1998) (railroad's embargo of branch line after it was damaged in storm was unreasonable, supporting shipper's actions for damages, where railroad could have made minor interim repairs that would have allowed line to operate as it had before the storm; cost of resuming service on branch line at pre-embargo levels rather than expense of rehabilitating line to Class I standards was proper standard for assessing cost of repair when assessing reasonableness of railroad's embargo), *see also, GS Roofing Products Co., Inc. v. Surface Transportation Board* (2001), 262 F.3d 767, 777 (shipper met burden of showing that it would have earned profits on contract it was forced to cancel because of rail carrier's unreasonable embargo, and thus was entitled to recover lost profits).

In its Notice of Exemption, CSX failed to certify that any overhead traffic on the line can be rerouted over other rail lines. This is because the traffic that normally travels on the Line *cannot* be rerouted. This rail Line is the exclusive line which provides rail access to Terminal Warehouse (*See Affidavit of Bill Hanlon*). If the Board allows this abandonment to proceed, Terminal Warehouse and the shippers and customers it serves will simply no longer be able to transport goods or raw materials to this facility by rail car.

**WHEREFORE**, for all these reasons, Petitioner respectfully requests that this Board declare that the Notice of Exemption contains false and/or misleading information, declare use of the exemption *void ab initio*, and summarily reject the exemption notice pursuant to 49 CFR 1152.50(d)(3). Moreover, under 49 U.S.C. 10502(d), Petitioner requests that the Board find that

the continued existence of this line is necessary to carry out the rail transportation policy set forth in 49 U.S. 10101, and therefore immediately revoke the exemption.

Respectfully submitted,



Eric Larson Zalud (Ohio Atty. Reg. No. 0038959)  
Frank J. Reed, Jr. (Ohio Atty. Reg. No. 0055234)  
BENESCH, FRIEDLANDER COPLAN &  
ARONOFF, LLP  
88 E. Broad Street, Suite 900  
Columbus, Ohio 43215  
(614) 223-9300/(614) 223-933 (Fax) (Columbus)  
(216) 363-4178/(216) 363-4588(Fax) (Cleveland)

Counsel for Petitioner Terminal Warehouse, Inc.

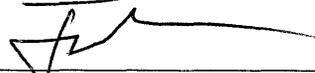
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served by ordinary  
U.S. mail, postage prepaid, this 7th day of July, 2003, upon the following:

Louis E. Gitomer  
Ball Janik LLP  
1455 F Street, N.W., Suite 225  
Washington, D.C. 20005

Natalie S. Rosenberg  
CSX Transportation  
Law Department  
500 Water Street (J150)  
Jacksonville, FL 32202

Attorneys for Respondent



Frank J. Reed, Jr.

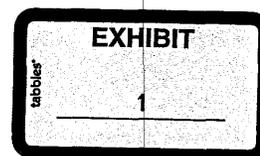
AFFIDAVIT

State of Ohio

Summit County, SS:

Now comes William K. Hanlon, President of Terminal Warehouse, Inc., a public/contract storage and distribution company, who after being duly sworn according to law, deposes and states the following from his personal information and belief.

1. I, William K. Hanlon, and President of Terminal Warehouse, Inc. Terminal Warehouse, Inc. (hereinafter Terminal Warehouse) is a public/contract storage and distribution company located in Akron, Summit County, Ohio.
2. Terminal Warehouse currently operates three facilities in the Akron, Ohio area. The first facility occupies approximately 450,000 square feet and is located at 1779 Marvo Drive, Akron, Ohio 44306. The second facility occupies approximately 80,000 square feet and is located at 1075 Jenkins Boulevard, Akron, Ohio. The third facility is located at 989 Home Avenue, Akron, Ohio 44310, and occupies approximately 137,000 square feet. Until the events described more fully herein, the Marvo Drive and Home Avenue facilities have enjoyed access to one or more railroad lines.
3. I have been an employee of Terminal Warehouse since February 1, 1993, the last three and half years having served as President of the company. Currently, the company has approximately 69 employees.
4. Terminal Warehouse has operated the Home Avenue facility since approximately 1989. Company records indicate the facility has received regular railroad traffic for several years, at least since the mid-1960's.
5. Shippers typically transport goods or raw materials to one of our facilities by truck or by rail for storage and distribution.
6. One of our company's customers is NYCO, Inc. (NYCO) 205 9<sup>th</sup> Avenue SE, Suite 500, Calgary, Alberta Canada T2G 0R4. NYCO manufactures a fiber, powder-like raw material similar to clay or talc known as Calcium Silicate.
7. NYCO usually packages this material in one of two different methods. One method is that the material is filled into 50 lb. bags, the bags are assembled onto wood pallets, and the pallets are shrunk-wrapped with plastic. Another method is that the material is filled into 1000 kilogram industrial "supersacks." Under either method of packaging, the material is then loaded into a rail box car and transported to Akron, Ohio for storage and distribution to NYCO's customers.



8. Transportation by rail is cheaper and more efficient because a rail car can hold two and one-half times the capacity of material as one regular truck load of material.
9. During my years at Terminal Warehouse, NYCO has transported raw materials to our company's Home Avenue facility on several occasions.
10. Attached and labeled as Exhibit A to this affidavit is a warehouse receipt. This warehouse receipt is a true and accurate copy of the original receipt, held at our offices, and kept in the ordinary course of our business. Exhibit A indicates that NYCO shipped 15 separate lots of raw materials by rail. This shipment included 2400 bags of material. Each bag weighed 50 lbs. This shipment originated from NYCO's facility located in Hermosillo, Conora Mexico, passed through the Akron CSX Rail yard, and terminated at our facility. The rail carrier was CSX Transportation, Inc. (hereinafter CSX).
11. Based upon my own personal knowledge, recollection, and review of company records, I know that this shipment of raw material was received by box rail car on or about December 30, 2000.
12. Attached and labeled as Exhibit B to this affidavit is a second warehouse receipt. This warehouse receipt is a true and accurate copy of the original receipt, held at our offices, and kept in the ordinary course of our business. Exhibit B indicates that NYCO shipped 19 separate lots of raw materials by rail. This shipment included 2400 bags of material. Each bag weighed 50 lbs. This shipment originated from NYCO's facility located in Hermosillo, Conora Mexico, passed through the Akron CSX Rail yard, and terminated at our facility. The rail carrier was CSX.
13. Based upon my own personal knowledge, recollection, and review of company records, I know that this shipment of raw material was received by box rail car on or about January 6, 2001.
14. Attached and labeled as Exhibit C to this affidavit is a second warehouse receipt. This warehouse receipt is a true and accurate copy of the original receipt, held at our offices, and kept in the ordinary course of our business. Exhibit C indicates that NYCO shipped one lot of raw materials by rail. This shipment consisted of 52 "supersacks." Each supersack weighed 1000 kilograms. This shipment originated from NYCO's facility located in Hermosillo, Conora Mexico, passed through the Akron CSX Rail yard, and terminated at our facility. The rail carrier was CSX.
15. Based upon my own personal knowledge, recollection, and review of company records, I know that this shipment of raw material was received by box rail car on or about January 20, 2001.
16. In approximately September, 2001, I had a telephone conversation with Jim Scott who is the yardmaster for CSX Transportation. Mr. Scott's office is located at 479 N. Arlington Street, Akron, Ohio 44305.

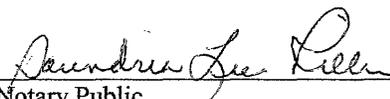
17. Mr. Scott informed me that earlier in the summer, AT & T had been installing a cable along the rail line right-of-way and damaged the rail trestle owned and operated by CSX. The rail trestle passes over Eastwood Avenue near the intersection of Eastwood and Home Avenues in Akron, Ohio.
18. Mr. Scott informed me that CSX had declared this rail line corridor unsafe, due to the damage, and would likely repair the rail line.
19. At no time did I ever receive anything in writing from Mr. Scott or CSX notifying me of this incident or CSX's determination that the line was unsafe for rail traffic.
20. My normal office is situated at the facility located on Marvo Drive, which is approximately 9 miles from the Home Avenue facility.
21. Sometime in late July or early August, 2002, one of my employees at the Home Avenue facility notified me that the rail trestle and a portion of the railroad lines leading to our Home Avenue facility along Eastwood had been completely removed. The same day I drove my vehicle past the facility to confirm this fact.
22. At no time did CSX or Mr. Scott notify me either verbally or in writing of this action.
23. When I contacted Mr. Scott, Mr. Scott said that the City of Akron had caused the rail line and railroad trestle to be removed.
24. When I contacted officials from the City of Akron, Ohio, the City denied that it took any steps to remove this rail structure, nor took any steps to allow the structure to be removed.
25. On June 23, 2003, I learned from my attorneys that on March 25, 2003, after the railroad line and railroad trestle had already been removed during the summer of 2002, CSX had filed a Notice of Exemption to abandon this rail line.
26. As is more fully explained herein, Terminal Warehouse has been harmed and will continue to suffer harm if this rail abandonment is not revoked, and rail service is not eventually restored.
27. I have been informed that the line of railroad is more fully described as, "the line from former Conrail Milepost 11.49 to a point 150 feet from the point of switch at or near former Conrail Milepost 11.56, known as the Lumber Lead, a distance of approximately 0.097 of a mile and which traverses through United States Postal Service Zip Code 44305 in Summit County, Ohio." This rail line is the only rail corridor that services and allows rail access to the Home Avenue facility.
28. Upon learning that CSX had declared the railroad trestle unsafe, Terminal Warehouse has refused contracts and denied shippers the opportunity to transport goods or raw materials to our Home Avenue facility by rail.

29. Attached to this affidavit and labeled Exhibit "D," is a document which indicates that on December 13, 2002, a shipper, A. Schulman, Inc., asked our company for a quote to deliver goods by rail to our Home Avenue facility for storage and distribution. I informed the customer that our Home Avenue facility was temporarily without rail service. As a result, the customer did not hire our company.
30. Attached to this affidavit and labeled Exhibit "E," is a document which indicates that on March 19, 2003, Laughlin Logistics, Inc. asked our company for a quote to deliver goods by rail to our Home Avenue facility for storage and distribution. I contacted Jim Laughlin by telephone and informed the customer that our Home Avenue facility was temporarily without rail service. As a result, the customer did not hire our company.
31. Terminal Warehouse has lost income revenue, and will continue to lose revenue by the proposed abandonment of this rail corridor and the resulting loss of rail service.
32. In approximately November, 1999, the B & F Polymers Company entered into a monthly contract with Terminal Warehouse. The contract called for the temporary storage of two rail "hopper" cars, owned by B & F Polymers, to be placed on our rail siding. The rail siding is adjacent to the East side of our Home Avenue facility, and runs parallel to the rail spur extending from the Eastwood Avenue trestle. If the rail spur is permitted to be abandoned, neither B & F Polymers nor Terminal Warehouse will ever have the ability to move or otherwise use these two hopper cars for anything other than perpetual storage.

Further, Affiant sayeth naught.

  
William K. Hanlon, President  
Terminal Warehouse, Inc.

Sworn to and subscribed before me, a notary public, this 2 day of July, 2003.

  
Notary Public

STATE OF ILLINOIS, Notary Public  
Cook County  
My Commission Expires Aug. 9, 2005

**ERMINAL WAREHOUSE, INC.**

O 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
 O 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9376  
 O 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

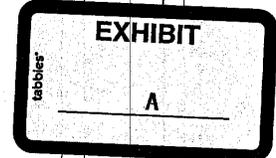
GOODS RECEIVED FROM  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC

VIA: CSX  
 CAR/CONT.

INVOICE
109652
INVOICE DATE
01.01.01
RECEIPT NO
109650



QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
40	NYAD M400 980709C01-50 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M400 980823C01-25 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M400 M990107C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
560	NYAD M400 M990420C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	56.00	.13	72.80



INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: *[Signature]*  
 Continued on Page 2

ORIGINAL

STORAGE	
HANDLING	
OTHER	
TOTAL	

**ERMINAL WAREHOUSE, INC.**

○ 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
 ○ 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 ○ 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 RODRIGUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXICO

VIA: CSX  
 CAR/CONT.

INVOICE
109652
INVOICE DATE
01.01.01
RECEIPT NO.
109650



QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
38	NYAD M400 M990420C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	3.80	.13	4.94
80	NYAD M400 M990421C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	8.00	.13	10.40
40	NYAD M400 M990423C03 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M400 M990530C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20

INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_

Continued on Page 3

ORIGINAL

STORAGE		
HANDLING		
OTHER		
TOTAL		

**ERMINAL WAREHOUSE, INC.**

O 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
 O 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 O 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXICO

VIA:CSX  
 CAR/CONT.

INVOICE
109652
INVOICE DATE
01.01.01
HLCLIP NO
109650

QUANTITY	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE RATE	STORAGE AMOUNT	HANDLING RATE	HANDLING AMOUNT
----------	-----------------	-------------	-----	--------------	----------------	---------------	-----------------

QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
36	NYAD M400 M990530C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	3.60	.13	4.68
40	NYAD M400 M990601C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
600	NYAD M400 M990608C02 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	60.00	.13	78.00
36	NYAD M400 M990608C02 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	3.60	.13	4.68

INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_ Continued on Page 4

ORIGINAL

STORAGE			
HANDLING			
OTHER			
TOTAL			

**ERMINAL WAREHOUSE, INC.**

O 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
 O 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 O 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 2 MAIL BOXES ETC. BLVD.  
 RODRIGUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 2 MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC

VIA: CSX  
 CAR/CONT.

INVOICE
109652
INVOICE DATE
01.01.01
RECEIPT NO.
109650

WHSE	REFERENCE NO.	DATE RECEIVED	RECEIVED BY

QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
480	M1250 WOLLASTOC M001110E01	BAGS ON PALLETS Identity: 50# BAGS	EA	.10	48.00	.13	62.40
38	M1250 WOLLASTOC M001110E01	BAGS ON PALLETS Identity: 50# BAGS	EA	.10	3.80	.13	4.94
278	M1250 WOLLASTOC M001110E01	BAGS ON PALLETS Identity: 50# BAGS	EA	.10	27.80	.13	36.14
7	TERMINAL PALLETS		EA			7.00	49.00
7	STRETCHWRAP		EA			5.00	35.00
6	EXTRA LABOR W F/L		HR			37.50	225.00

INSURANCE: Goods are not insured by warehouseman. QTY TOTAL: 2386

LIABILITY: This contract contains a limitation of liability provision. Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_

Terms: Charges accrue to a future invoice

ORIGINAL

STORAGE	238.60
HANDLING	518.18
OTHER	309.00
TOTAL	1065.78

**ERMINAL WAREHOUSE, INC.**

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 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 MINERA NYCO S A DE C V  
 CARRETERA MINA PILARES K  
 HERMOSILLO, SONORA MX

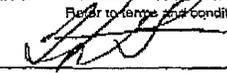
VIA CSX  
 CAR/CONT.

INVOICE
109851
INVOICE DATE
01.01.01
RECEIPT NO.
109849



QTY.	ITEM/LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
2	NYAD M400 M990420CDAM Identity: UNSHIP	BAGS ON PALLETS	EA	.10	0.20	.13	0.26
4	NYAD M400 M990530DAM Identity: UNSHIP	BAGS ON PALLETS	EA	.10	0.40	.13	0.52
4	NYAD M400 M990608DAM Identity: UNSHIPABLE	BAGS ON PALLETS	EA	.10	0.40	.13	0.52
4	M1250 WOLLASTOC M001110DAM Identity: UNSHIP	BAGS ON PALLETS	EA	.10	0.40	.13	0.52

*\* THIS INVOICE NOTES DAMAGED PRODUCT ONLY - UNSHIPABLE*

INSURANCE: Goods are not insured by warehouseman. QTY TOTAL: 14  
 LIABILITY: This contract contains a limitation of liability provision. Refer to terms and conditions on reverse side.  
 PER:   
 Terms: Charges accrue to a future invoice  
 ORIGINAL

STORAGE	1.40
HANDLING	1.82
OTHER	0.00
TOTAL	3.22

**ERMINAL WAREHOUSE, INC.**

○ 1779 Marvo Drive, Akron, Ohio 44308 • (330) 773-8207 • Fax: (330) 773-6132  
 ○ 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 ○ 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

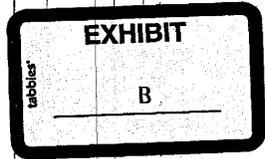
FOR THE ACCOUNT OF: NYCO  
 NYCO  
 2 MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CF 83005

GOODS RECEIVED FROM  
 NYCO  
 2 MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC  
  
 VIA CSX  
 CAR/CONT. GUSR769109

INVOICE
109601
INVOICE DATE
01.06.01
RECEIPT NO.
109599



QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
40	NYAD M325 980404C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M325 980415C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M325 980507C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M325 980810C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20



INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision. Refer to terms and conditions on reverse side.

PER: *[Signature]* Continued on Page 2

ORIGINAL

STORAGE	
HANDLING	
OTHER	
TOTAL	

**ERMINAL WAREHOUSE, INC.**

○ 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
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 ○ 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 RODRIGUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC

VIA:CSX  
 CAR/CONT.GVSR769109

INVOICE#	109601
INVOICE DATE	01-06-01
RECEIPT NO	109599

DATE	01-06-01
TIME	10:00
BY	NYCO
RECEIVED BY	NYCO

QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
40	NYAD M325 M990412C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M325 000915C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
80	NYAD M325 M990331C02 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	8.00	.13	10.40
120	NYAD M325 980818C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	12.00	.13	15.60

INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_ Continued on Page 3

ORIGINAL

STORAGE	
HANDLING	
OTHER	
TOTAL	

**ERMINAL WAREHOUSE, INC.**

O 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-8132  
 O 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 O 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 565 COL. CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 % MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC

VIA: CSX  
 CAR/CONT. GVS/R769109

INVOICE
109601
INVOICE DATE
01.06.01
RECLI. NO.
109599



QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
1	NYAD M325 980416C01DAM Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	0.10	.13	0.13
39	NYAD M325 980416C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	3.90	.13	5.07
320	NYAD M325 980416C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	32.00	.13	41.60
1	RECEIVED 1 BAG DAMAGED UNSHIPPABLE LOT # 980416C01 EXTRA LABOR/NO F/L		HR			29.50	29.50
1	STRETCHWRAP		EA			5.00	5.00

INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_ Continued on Page 4

ORIGINAL

STORAGE			
HANDLING			
OTHER			
TOTAL			

**ERMINAL WAREHOUSE, INC.**

○ 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-8132  
 ○ 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 ○ 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 ½ MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 565 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 ½ MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC

VIA:CSX  
 CAR/CONT.GUSR769109

INVOICE
109601
INVOICE DATE
01.06.01
RECEIPT NO.
109599

REFERENCE TO THE HOUSE AND THE RECEIVED FROM THE HOUSE

QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
40	NYAD M400 M990423C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M400 M990610C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M400 M990610C02 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20
40	NYAD M400 M990421C02 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	4.00	.13	5.20

INSURANCE: Goods are not insured by warehousemen.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_

Continued on Page 5

ORIGINAL

STORAGE			
HANDLING			
TOTAL			

**ERMINAL WAREHOUSE, INC.**

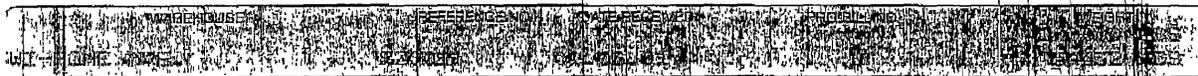
O 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
 O 889 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 O 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 545 COL. CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC  
 VIA: CSX  
 CAR/CONT: GVSF769109

INVOICE
109601
INVOICE DATE
01.06.01
RLCIFT NO
109599



QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
80	NYAD M400 M990421C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	8.00	.13	10.40
160	NYAD M400 M990530C02 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	16.00	.13	20.80
400	NYAD M400 M990420C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	40.00	.13	52.00
80	NYAD M200 M001103C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	8.00	.13	10.40

INSURANCE: Goods are not insured by warehouseman.  
 LIABILITY: This contract contains a limitation of liability provision.  
 Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_ Continued on Page 6

ORIGINAL

STORAGE	
HANDLING	
OTHER	
TOTAL	

**ERMINAL WAREHOUSE, INC.**

O 1779 Marvo Drive, Akron, Ohio 44306 • (330) 773-8207 • Fax: (330) 773-6132  
 O 989 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 O 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 RODRIQUEZ 181 545 COL. CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

GOODS RECEIVED FROM  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 HERMOSILLO, SONORA MEXIC

VIA: CSX  
 CAR/CONT. GVS769109

INVOICE
109601
INVOICE DATE
01.06.01
RECEIPT NO.
109599



QTY.	ITEM/LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
720	NYAD M200 M001115C01 Identity: 50# BAGS	BAGS ON PALLETS	EA	.10	72.00	.13	93.60

INSURANCE: Goods are not insured by warehouseman. QTY TOTAL: 2400

LIABILITY: This contract contains a limitation of liability provision. Refer to terms and conditions on reverse side.

PER: \_\_\_\_\_

Terms: Charges accrue to a future invoice

ORIGINAL

STORAGE	228.00
HANDLING	312.00
TOTAL	540.00

**ERMINGHAM WAREHOUSE, INC.**

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 ○ 888 Home Ave., Akron, Ohio 44310 • (330) 375-9376 • Fax: (330) 375-9378  
 ○ 850 N. Main St., Kent, Ohio 44240 • (330) 375-9376 • (330) 375-9378

**WAREHOUSE RECEIPT**

FOR THE ACCOUNT OF: NYCO  
 NYCO  
 1/2 MAIL BOXES ETC. BLVD.  
 RODRIGUEZ 181 545 COL CENTRO  
 HERMOSILLO, SONORA MEXICO  
 CP 83005

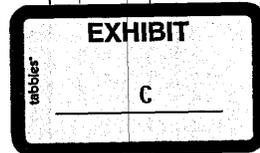
GOODS RECEIVED FROM  
 MINERA NYCO S A DE C V  
 CARRETERA MINA PILARES K  
 HERMOSILLO, SONORA MX

VIA: CSX  
 CAR/CONT. SRN3523

INVOICE
109850
INVOICE DATE
01.20.01
RECEIPT NO
109848



QTY.	ITEM / LOT CODE	DESCRIPTION	PER	STORAGE		HANDLING	
				RATE	AMOUNT	RATE	AMOUNT
52	NYAD M200 (SUPE 2205# SUPERSACKS) M001125A01 Identity: 1000KG BAGS		EA	3.76	97.76	5.00	260.00
1	DISPOSAL OF WOOD OFF RAILCAR		EA			75.00	75.00
4	EXTRA LABOR/NO F/L		HR			29.50	108.25
1	FAX		EA			1.00	1.00



INSURANCE: Goods are not insured by warehouseman. QTY TOTAL: 52

LIABILITY: This contract contains a limitation of liability provision. Refer to terms and conditions on reverse side.

PER: [Signature]

Terms: Charges accrue to a future invoice

ORIGINAL

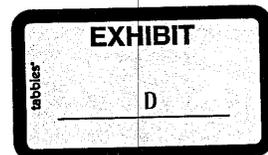
STORAGE	97.76
HANDLING	260.00
OTHER	108.25
TOTAL	466.01

From: "Bill Hanlon" <whanlon@terminalwhse.com>  
To: <becky\_shilinski@schulman.com>  
Sent: Monday, December 16, 2002 4:38 PM  
Subject: Re: TERMINAL WAREHOUSE

> Right now we can't store any cars. The trestle over Eastwood was  
> removed after AT&T damaged the abutments. That action cut-off the  
> rail service at Home Ave. The Metro Regional Transit Authority is  
> trying to buy the line from the CSX and we are discussing the  
> reconnection of rail service from  
the  
> north. Even if we work that out, it will be quite some time before  
> the connection is made. My guess is at least 1 year. The Marvo spur  
> is not suitable for the storage of cars. While handling a transfer,  
> the docks to Bldg #1 will be blocked which will not work. If I  
> recall, you thought  
the  
> extra cars could be switched over to the plant siding. Is that still  
> feasible?

>  
>  
> ----- Original Message -----  
> From: <becky\_shilinski@schulman.com>  
> To: <whanlon@terminalwhse.com>  
> Sent: Friday, December 13, 2002 2:33 PM  
> Subject: TERMINAL WAREHOUSE

>  
>  
> > BILL:  
> >  
> > Just a note to advise that I have been unable to talk with John  
> > Myles regarding the proposal from Terminal Warehouse. John has been  
> > out of  
the  
> > office quite a bit and his schedule is pretty well booked for the  
> > time  
he  
> > will be here this month (he and I will only be here two of the same  
> > days for the remainder of the year).  
> >  
> > I will let you know what he thinks as soon as I can talk to him.  
> >  
> > One question, we currently have 6 rail cars in Mogadore. Can cars  
> > be handled by one of your locations (Marvo - Home) for Bulk  
> > transfers?  
> >  
> > If I don't get to talk to you, I hope you and your family have a  
> > Very  
> Merry  
> > Christmas and a the best New Year ever.  
> >  
> > Becky



> >  
> >  
> >  
> > The contents of this e-mail and its attachments is confidential,  
> > may be legally privileged and is for the use of the intended  
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> > reliance on any of it by anyone else is prohibited. If received in  
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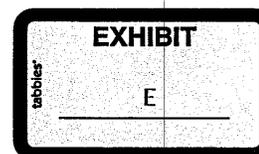
**From:** Jim Laughlin  
**To:** Bill Hanlon  
**Sent:** Wednesday, March 19, 2003 6:12 PM  
**Subject:** Northeast Packaging Opportunity

Bill:

Attached is the modified Northeast Packaging Opportunity description that we discussed.

Best regards, Jim Laughlin

6/27/2003



**LAUGHLIN LOGISTICS, INC.**

**CHEMICALS AND PLASTICS OPPORTUNITY**

**NORTHEAST REGION**

**MARCH 2003**

**Overview**

A major chemical manufacturer has asked Laughlin Logistics, Inc. to locate a third party provider to perform transloading, warehousing, and packaging services in the Northeast.

**Specific Requirements**

- Rail and truck to packaging transfers are involved for plastics. Hopper cars & hopper trucks.
- Warehousing for storage and handling of plastics is required.
- Packaging of plastics in boxes on pallets is the primary requirement.
- Weight is 1500 LB per box.
- No storage and handling of liquid chemicals is required.
- Volume is 30,000,000 pounds per year to be received, packaged, and shipped.
- Each hopper car weighs 192 KLB.
- One product is involved --- a nonhazardous plastics (probably Polystyrene).
- Inventory in warehouse will range between 5.0 MLB and 7.5 MLB.
- Stacking height for boxes is two (2) high.
- Facility location must be in New Jersey, New York, Ohio, or Pennsylvania.

**Pricing Proposal**

Please submit a proposed range of storage, handling, packaging, and transloading prices with accessorial charges to:

Laughlin Logistics, Inc.  
88 East Main Street  
Mendham, NJ 07945

E-mail: [jim@laughlinlogistics.com](mailto:jim@laughlinlogistics.com)  
Phone: 973-543-6601