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Gabriel S Meyer
Assistant General Attorney

June 11, 2008

Via Electronic Filing

The Honorable Anne Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

**Re: Abandonment and Discontinuance of Trackage Rights on the
Santa Monica Industrial Lead, from Milepost 485.61 to Milepost
486.00—STB Docket No. AB-33 (Sub-No. 265X)**

Dear Secretary Quinlan.

This letter responds to James Riffin's "Response to UP's Reply to Riffin's Petition to Revoke Notice of Exemption," (hereinafter "Reply") filed on June 9, 2008 in this matter.

Mr Riffin's submission is an impermissible reply to UP's June 2, 2008 Reply. Under Board regulations, "A reply to a reply is not permitted." 49 CFR § 1104.13(c). While Mr. Riffin acknowledges this in Paragraph 6 of his Reply, he asks the Board waive its rules in order to establish a "more complete record." In fact, Mr. Riffin's Reply does not provide any new information or justification for a waiver of the rules.

Mr Riffin's Reply is merely the latest in a string of frivolous filings he has submitted to the Board in this and other proceedings.¹ Highlighting the frivolous nature of his Reply, Mr Riffin concedes that he has not bothered to review the 1993 decision² that UP cites in its June 2 Reply, and asks the Board to review the decision for him. The decision granted UP's predecessor, Southern Pacific Transportation Company, authority to discontinue trackage rights over Los Angeles County Metropolitan Transportation Authority's line between mileposts

¹ Mr Riffin has made nearly 50 filings with the Board since the beginning of 2007.

² Southern Pacific Transp. Co —Discontinuance of Service Exemption—In Los Angeles County, CA, AB-12 (Sub-No. 154X), ICC served Sept. 28, 1993.

486.00 and 487.72—the line segment Mr. Riffin has repeatedly cited in his filings. The decision is publicly available.

For the reasons stated in this letter and in UP's June 2, 2008 Reply, UP respectfully requests that the Board deny Mr. Riffin's request to revoke UP's Notice of Exemption in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gabriel S. Meyer", with a long horizontal flourish extending to the right.

Gabriel S. Meyer

CERTIFICATE OF SERVICE

I, Gabriel S. Meyer, hereby certify that on this 11th day of June, 2008, I caused a copy of the foregoing letter to be served via prepaid First Class U.S Mail upon:

Mr James Riffin
1941 Greenspring Drive
Timonium, MD 21093

Mr. Charles Spitulnik
Kaplan Kirsch & Rockwell LLP
1001 Connecticut Avenue, N.W., Suite 905
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