

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. NOR 42108

**THE SPRINGFIELD TERMINAL RAILWAY COMPANY --
PETITION FOR DECLARATORY ORDER**

JOINT MOTION FOR ENLARGEMENT OF SCHEDULING DEADLINES

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JOINT MOTION FOR ENLARGEMENT OF SCHEDULING DEADLINES

Petitioner Springfield Terminal Railway Company (“STRC”) and Respondent Fore River Warehousing and Storage Co., Inc. (“Fore River”) hereby jointly move to enlarge the deadlines set forth in the Board’s Decision Served February 10, 2009 in the above-captioned matter (the “Decision”). As grounds therefor, the parties state as follows:

1. In the Decision, the Board stated that “[t]he parties have neither submitted a proposed procedural schedule nor requested discovery.”
2. In the Decision, the Board set a discovery deadline of April 13, 2009.
3. The parties’ understanding was that scheduling matters would be addressed once the Board ruled on its motion to dismiss the 2004 demurrage.
4. After the Decision was issued, the parties’ counsel conferred and discussed the need for additional time to undertake written discovery and depositions in light of the need for time to locate, review and produce documents and schedule depositions, and in light of the press of other business for both the parties and counsel.
5. Since that time, Fore River has served document requests and interrogatories on STRC. Counsel have also discussed the possibility of settlement.

6. It is unlikely that Fore River will be able to receive STRC's responses, ensure that it has been provided with all requested and discoverable materials, and schedule and conduct depositions within the April 13, 2009 deadline.
7. Accordingly, the parties respectfully request that the deadlines in this case be enlarged as follows:

Discovery will be completed by July 1, 2009.

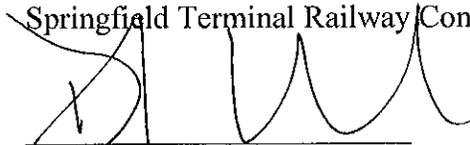
Fore River's reply statement is due by September 1, 2009.

STRC's rebuttal statement is due by September 25, 2009.

WHEREFORE, the parties respectfully request that the Joint Motion be granted and a new schedule be established as set forth above.

Dated: March 20, 2009


Keith Jacques, Esq.
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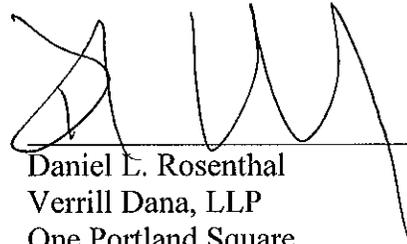
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Warehousing & Storage Co., Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the foregoing Joint Motion for Enlargement of Scheduling Deadlines on all parties of record in this proceeding, by furnishing a copy to Keith R. Jacques, Attorney for Springfield Terminal Railway Company, Smith Elliott Smith & Garmey, 199 Main Street, PO Box 1179, Saco, ME 04072 via electronic mail this 20th day of March 2009, per agreement of the parties to use electronic filing.

Dated: March 20, 2009



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Attorney for Respondent
Fore River Warehousing &
Storage Co., Inc.