

LAW OFFICE  
THOMAS F. MCFARLAND, P.C.  
208 SOUTH LASALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE (312) 236-0204  
FAX (312) 201-9695  
*mcfarland@aol.com*

THOMAS F. MCFARLAND

April 9, 2009

By e-filing

Anne K. Quinlan, Esq.  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W., Suite 1149  
Washington, DC 20024

Re: Docket No. NOR-42106, *Ameropan Oil Corporation -- Petition For Declaratory Order -- Reasonableness Of Demurrage Charges*

Dear Ms. Quinlan:

In a decision served March 23, 2009, the Board extended the time to mediate the issues in the above proceeding to and including April 20, 2009.

In behalf of both parties (i.e., Ameropan Oil Corporation [Ameropan] and Illinois Central Railroad Company [IC]), this is to respectfully request that the time to mediate the issues be further extended to and including June 1, 2009.

The requested extension is justified because the parties have made progress in negotiations to resolve the issues, and there is a reasonable prospect of settlement if the mediation period is extended. On March 17, 2009, IC submitted a detailed offer of settlement. While Ameropan was unable to accept that offer, that offer narrowed the issues in such manner that the parties have agreed to meet again involving senior personnel in an effort to resolve the remaining issues. An extension to June 1 is required because the meeting may not occur until mid to late May depending on commitments of the meeting participants. Enough time should be allowed for reasonable evaluation of positions expressed at that meeting.

The requested extension is consistent with the Board's stated preference for private resolution of disputes.

THOMAS F. MCFARLAND

Anne K. Quinlan, Esq.

April 9, 2009

Page 2

I am authorized to state that the Board-appointed Mediator is not opposed to the requested extension.

Very truly yours,

*John Fiorilla tm*

---

John Fiorilla

*Thomas F. McFarland*

---

Thomas F. McFarland

*TMcf:kl:wp8.0\1301\efSTB1*

cc: Thomas Stilling, *by e-mail to [thomas.stilling@stb.dot.gov](mailto:thomas.stilling@stb.dot.gov)*  
Lawrence Herzig, *by e-mail to [lawrence.herzig@stb.dot.gov](mailto:lawrence.herzig@stb.dot.gov)*