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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

E.I. DUPONT DE NEMOURS AND COMPANY)	
)	
Complainant,)	
)	
v.)	Docket No. NOR 42112
)	
CSX TRANSPORTATION, INC.)	
)	
Defendant.)	

MOTION TO DISMISS

Complainant, E.I. du Pont de Nemours and Company ("DuPont"), has reached a voluntary settlement with Defendant, CSX Transportation, Inc. ("CSXT"), of the matters at issue in this proceeding. Accordingly, DuPont hereby requests that the Board dismiss the complaint with prejudice and discontinue this proceeding.

Respectfully submitted,



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May 8, 2009

CERTIFICATE OF SERVICE

I hereby certify that this 8th day of May, 2009, I served a copy of the foregoing Motion to Dismiss by regular mail, postage prepaid upon counsel for Defendant at the following address:

G. Paul Moates
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1501 K Street, NW
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Jeffrey O. Moreno