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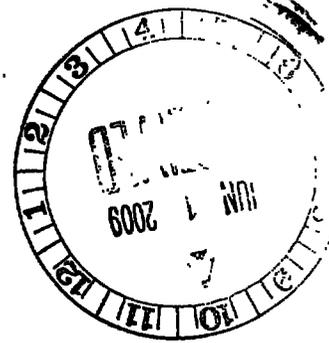


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May 29, 2009



OVERNIGHT MAIL

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

**RE: Springfield Terminal Railway Company Petition for Declaratory Order
Docket No. NOR 42108**

Dear Sir/Madam:

Enclosed are the original and ten copies of Springfield Terminal's Limited Objection to Fore River Warehousing's Motion to Compel for filing regarding the above entitled matter.

Thank you for your assistance.

Sincerely,

Keith R. Jacques

KRJ/cem
Enc.
cc: Daniel Rosenthal, Esq.

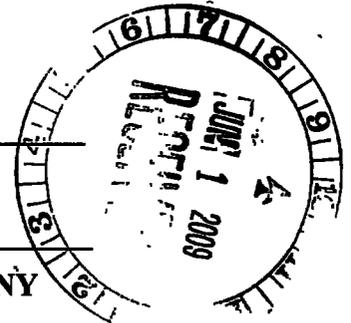
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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. NOR 42108

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

**LIMITED OBJECTION OF SPRINGFIELD TERMINAL
RAILWAY COMPANY TO FORE RIVER WAREHOUSING & STORAGE
CO., INC.'S MOTION TO COMPEL ("FORERIVER")**



NOW COMES Springfield Terminal Railway Company ("STRC"), by and through counsel, and files this Limited Objection to Fore River Warehousing & Storage Co., Inc.'s Motion to Compel Responses to Discovery and Enlarge Scheduling Deadlines:

STRC does not object to an extension of the Scheduling Deadline to enable Fore River to conduct whatever additional discovery it feels is necessary prior to filing its reply statement. STRC provided unsigned Answers to Interrogatories and its Response to Request for Production of Documents to Fore River's counsel on May 22. Signed Answers to Interrogatories were faxed to Fore River's counsel on May 28. Fore River has requested that the discovery deadline be extended to three months from the date that STRC served responses to Fore River's discovery requests. Fore River also seeks a modification of the deadline for Fore River to file its reply statement and for STRC to file its rebuttal statement. STRC does not object to these requests.

STRC does object, however, to Fore River's request that it be awarded its reasonable expenses, including attorney's fees, caused by the delay in responding to Fore River's discovery requests. STRC has used its best efforts to respond to the discovery requests promptly and thoroughly. If the Scheduling Order deadlines are extended as requested by Fore River and,

without objection by STRC, Fore River cannot claim that it has been prejudiced, financial or otherwise, by the delay in responding to the discovery. An award of attorney's fees, therefore, is inappropriate.

DATED at Saco, Maine this 29th day of May, 2009.

SMITH ELLIOTT SMITH & GARMEY,

BY:



Keith R. Jacques, Esq.
Attorney for Petitioner
Springfield Terminal Railway Company

199 Main Street
P.O. Box 1179
Saco, ME 04072
(207) 282-1527

CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the foregoing Limited Objection of Springfield Terminal Railway Company to Fore River's Motion to Compel on all parties of record in this proceeding, by furnishing a copy to Daniel L. Rosenthal, Attorney for Fore River, Verrill & Dana, One Portland Square, P.O. Box 586, Portland, ME 04112 via electronic mail this 29th day of May, 2009, per agreement of the parties to use electronic filing.

Dated:

May 29, 2009



Keith R. Jacques, Esq.
Attorney for Petitioner
Springfield Terminal Railway Company