

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : In Proceedings for
: the Reorganization
PENN CENTRAL TRANSPORTATION : of a Railroad
COMPANY, :
: Debtor. : No. 70-bk-00347-JF

ORDER NO. 4350

AND NOW, this 9th day of January 2008, upon consideration of the Petition of Penn Central Transportation Company and American Premier Underwriters, Inc. to Enforce Order No. 4349, and the responses thereto, IT IS HEREBY ORDERED:

1. The Petition is GRANTED, to the extent hereinafter set forth.

2. The pending litigation in Ohio (and the arbitration proceeding therein) may proceed to conclusion as previously authorized by this Court in document numbers 5383 and 8600, and subject to the conditions set forth in those documents. Any judgment which may result from that litigation may be enforced only if specifically hereafter authorized by this Court and no other Court.

3. The parties may submit to the arbitrators all issues affecting the merits of the claims asserted if they wish to do so, but they are advised that it is the present view of this Court that it is unlikely that any award for interest, punitive damages or counsel fees would be enforceable. The parties may,

however, seek to obtain awards for these items, in order to make a record for later review by the Third Circuit Court of Appeals.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.