

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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225661  
225662

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E.I. DUPONT DE NEMOURS AND COMPANY )  
 )  
Complainant, )  
 )  
v. )  
 )  
CSX TRANSPORTATION, INC. )  
 )  
Defendant. )  
\_\_\_\_\_

Docket Nos. NOR 42099, 42100 and  
42101

**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 complaints in the above-captioned dockets with prejudice and discontinue these proceedings.

Respectfully submitted,



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August 31, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that this 31st day of August, 2009, I served a copy of the foregoing Motion to Dismiss by e-mail, upon counsel for Defendant at the following address:

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