

BEFORE THE
SURFACE TRANSPORTATION BOARD

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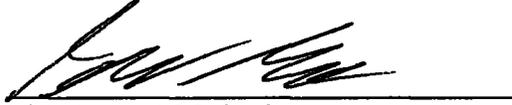
E.I. DUPONT DE NEMOURS AND COMPANY)
)
Complainant,)
)
v.)
)
CSX TRANSPORTATION, INC.)
)
Defendant.)

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,



Nicholas J. DiMichael
Jeffrey O. Moreno
Thompson Hine LLP
1920 N Street, N.W., Suite 800
Washington, D.C. 20036
(202) 331-8800

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
Washington, D.C. 20005



Jeffrey O. Moreno