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October 9, 2009

Mr. Eric Strohmeier
CNJ Rail Corporation
81 Century Lane
Watchung, NJ 07069

Mr. James Riffin
1941 Green Spring Drive
Timonium, MD 21093

225854

RE: STB Docket No. AB-167 Sub-No. 1190), Consolidated Rail Corporation-Abandonment Exemption-Hudson County, NJ

Dear Mr. Strohmeier and Mr. Riffin:

I represent Anthony Macrie and two railroads he controls, New Jersey Seashore Lines, Inc. ("NJSL"), and Cape May Seashore Lines, Inc.

I am writing you in connection with an offer of financial assistance (OFA) you have made in the above-captioned abandonment proceeding initiated by Consolidated Rail Corporation ("Conrail"). At page 11 of your filing submitted to the Board on September 30, 2009, you reference the recent filing in Finance Docket Nos. 35296 and 35297 whereby NJSL seeks to commence operations over a line of railroad owned by Clayton Companies, Inc. ("Clayton"). Presumably you have referenced my client's filing in an effort to imply that either NJSL and/or Clayton are in some way cooperating or working with you to develop traffic on the Conrail line should you be successful in acquiring it through the OFA process. This is not the case. NJSL does not have and does not seek a relationship with either of you. Although I do not represent Clayton, it is my understanding that they do not have and do not seek a relationship with either of you as well.

Accordingly, I request that you prepare and send me a letter addressed to the Board advising that your reference to NJSL and Clayton in your September 30 filing was made in error, retracting that statement, stating that you have no relationship with either NJSL or Clayton, and that neither NJSL nor Clayton has condoned or authorized your September 30 filing. Failure to do so and provide me within 10 days of receipt of my letter a signed retraction statement along the above lines for filing with the Board will result in my filing a Motion with the Board to strike your statement and such other relief as the Board finds appropriate.

Sincerely,



John D. Heffner

cc: Hon. Anne K. Quinlan
Mr. William Clayton
Jonathan Broder, Esq.
Mr. Anthony Macrie