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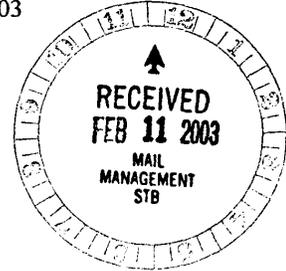
February 11, 2003

HAND DELIVERY - RETURN COPY

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW (7<sup>th</sup> fl.)  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

FEB 11 2003



Dear Secretary Williams:

Part of  
Public Record

207212-33996, Kern W. Schumacher and Morris H. Kulmer--Continuance in Control Exemption--SF&L Railway, Inc., and Docket No. AB-448 (Sub-No. 2X), SF&L Railway, Inc.--Abandonment Exemption--In Hancock, McDonough, Fulton and Peoria Counties, IL, and to the original and ten copies of the letter, dated February 10, 2003, from Mr. Morris H. Kulmer, President of SF&L Railway, Inc., a copy of which is attached for your convenience.

I certify that I this day have served copies of Mr. Kulmer's letter upon each of the parties by facsimile transmitting copies of the letter to their counsel.

Additional copies off this letter and of the Petition are enclosed for you to stamp to acknowledge your receipt of them and to return to me via the messenger.

If you have any question concerning this filing, please let me know.

Sincerely yours,

Handwritten signature of Fritz R. Kahn in cursive.  
Fritz R. Kahn

enc.

cc: Gordon P. MacDougall, Esq.  
Louis E. Gitomer, Esq.  
William A. Mullins, Esq.  
Daniel R. Elliott, III, Esq.  
Michael J. Van Wagenen, Esq.

**SF&L Railway, Inc.**

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February 10, 2003

Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
Washington, DC 20423



**RE:** Finance Docket No. 33995, *SF&L Railway, Inc.—Acquisition and Operation Exemption—Toledo, Peoria and Western Railway Corporation between La Harpe and Peoria, IL*  
Finance Docket No. 33996, *Kern W. Schumacher and Morris H. Kulmer—Continuance in Control—SF&L Railway, Inc.*  
Docket No. AB-448 (Sub-No. 2X), *SF&L Railway, Inc.—Abandonment Exemption—in Hancock, McDonough, Fulton and Peoria Counties, IL*

Dear Secretary Williams:

SF&L Railway, Inc., Kern W. Schumacher, and Morris H. Kulmer (“Petitioners”) have withdrawn with prejudice the Petitions for Review and Motion for Stay Pending Review filed with the United States Tenth Circuit Court of Appeals.

Petitioners have transferred the rail line between La Harpe, milepost 194.5, and Peoria, milepost 123.0, to the Toledo, Peoria and Western Railway Corporation (“TP&W”). Petitioners have no further claims against TP&W. Petitioners potential claims arising from the then pending court litigation were the basis for the conditions imposed on the TP&W in the decision in the above-entitled matters that was served on February 6, 2003. Since those claims no longer exist, Petitioners respectfully request the Surface Transportation Board to remove the conditions imposed on TP&W in the February 6, 2003 decision. I am authorized to state that TP&W concurs in this request.

Enclosed for filing are the original and ten copies of this letter. Please time and date stamp the extra copy of this letter and return it with our messenger. If you have any questions, please contact me.

Respectfully submitted,  
SF&L Railway, Inc.

By:   
Its: President

Enclosures