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BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. 42064

E.I. DUPONT DE NEMOURS AND COMPANY --
PROTEST AND PETITION FOR INVESTIGATION



MOTION TO DISMISS

E.I. DuPont De Nemours and Company ("DuPont") hereby submits this "Motion to Dismiss" the Protest and Petition for Investigation, filed by DuPont against the Union Pacific Railroad Company ("UP"), STB Docket No. 42064. The Protest and Petition was filed by DuPont on September 26, 2001 and ordered held in abeyance by the Board on October 18, 2001. The grounds for this motion are that DuPont and UP have agreed on a settlement of the issues.

Respectfully submitted,

ENTERED
Office of Proceedings

March 27, 2006
Federal
Public Notice

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March 27, 2006

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of March, 2006, copies of the foregoing "Motion to Dismiss " were served to all parties of record by regular mail, postage prepaid.



Jeffrey O. Moreno