

UNITED STATES OF AMERICA

BEFORE THE SURFACE TRANSPORTATION BOARD

STB DOCKET NO. NOR 42094 Sub-No.1

PCI TRANSPORTATION, INC.

Complainant,

v.

FORT WORTH & WESTERN RAILROAD COMPANY

Respondent.

**PARTIES' JOINT MOTION TO FURTHER
SUSPEND PROCEDURAL SCHEDULE**

On July 19, 2007 the undersigned counsel, having concluded that a basis for a settlement agreement appears possible, jointly requested on behalf of the parties that the Board suspend the Procedural Schedule sent out in its order dated May 11, 2007 for a period of forty-five (45) days in order to allow time for the parties to pursue settlement efforts.

By Order dated August 6, 2007 and served August 7, 2007, the Board granted the parties' request and suspended the procedural schedule until September 4, 2007.

Following circulation of an outline of basic elements, FWWR's counsel drafted and circulated a proposed Confidential Settlement Agreement and Mutual General Release to which PCI counsel replied on August 31, 2007 that, after consultation with his client, "I think we are very close to resolving this thing" and offered specific comments on issues that still need to be addressed.

PCI's counsel further advised that while he would be out of the country between September 1 and 15, a law partner in his office would be available in his absence should need arise. A law partner of Mr. Fiorilla, Betsy Ramos, has authorized this joint request.

In as much as counsel remain of the view that issues may be resolved amicably, the parties, through counsel, jointly request that the Board suspend the Procedural Schedule sent out in its order dated May 11, 2007 for an additional period of thirty (30) days until October 5, 2007 in order to allow time for the parties to pursue settlement efforts.

Counsel represents that neither party will be prejudiced if suspension is granted as requested.

Submitted this 4th day of September, 2007 by

_____/s/_____
John K. Fiorilla

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that by agreement a true and correct copy of the foregoing document was served on all Counsel of Record identified herein above by (1) e-mail and (2) first class U.S. mail, postage prepaid, this 4th day of September, 2007.

_____/s/_____
Paul H. Lamboley