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April 9, 2008

**VIA ELECTRONIC FILING**

The Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, NW  
Washington, DC 20423-0001

Re: STB Finance Docket No. 33388 (Sub-No. 101). In re: CSX Transportation, Inc.

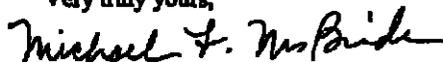
Dear Secretary Quinlan:

Effective March 1, 2008, the undersigned joined the law firm of Van Ness Feldman, P.C. Please update the Board's records in these proceedings as set forth below. Copies of any STB notice, pleadings or other correspondence in this proceeding should be sent to my attention at:

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In addition, we are hereby transmitting a copy of an order of the New York Supreme Court in New York Lines, LLC, etc. v. Frank Vitale, et al., Index No. 20662-2002, dated April 1, 2008, holding in abeyance all consideration of a motion filed by the Vitales to compel the resumption of arbitration proceedings with CSX Transportation, Inc. until the Surface Transportation Board rules on the pending Petition for Declaratory Order filed herein by CSX on or about October 4, 2007 ("the order"). The pending case in the New York Supreme Court was referred to and discussed in the pleadings filed by both the Vitales and CSX in this proceeding. The order obviously makes a ruling by the Board on CSX's pending Petition a matter of greater urgency to the parties than may have previously appeared to be the case to the STB. If the Board requires further information about the pending case in the New York Supreme Court, we will, of course, be happy to provide it.

Very truly yours,



Michael F. McBride  
Attorney for Frank and Francis Vitale

cc: Richard Zuckerman, Esq.  
Louis Gitomer, Esq.  
Kim Bongiovanni, Esq.

Short Form Order

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: HONORABLE DUANE A. HART IA Part 18  
Justice

	x	Index
NEW YORK CENTRAL LINES, LLC, etc.		Number <u>20662</u> 2002
- against -		Motion
		Date <u>October 17,</u> 2007
FRANK VITALE, et al.		Motion
	x	Cal. Number <u>22</u>
		Motion Seq. No. <u>5</u>

The following papers numbered 1 to 11 read on this motion by the respondents, pursuant to CPLR 7503, to compel the resumption of arbitration and cross motion by the petitioner for a stay of arbitration.

	<u>Papers Numbered</u>
Notice of Motion - Affidavits - Exhibits .....	1-4
Notice of Cross Motion - Affidavits - Exhibits ...	5-8
Reply Affidavits .....	9-11

Upon the foregoing papers it is ordered that the motion and cross motion are held in abeyance pending the determination of a related Petition for Declaratory Order filed with the federal Surface Transportation Board by the petitioner's successor in interest on October 4, 2007.

Dated: April 1, 2008

Duane A. Hart  
J.S.C.