

BEFORE THE SURFACE TRANSPORTATION BOARD

PENNSYLVANIA RAILROAD COMPANY  
--MERGER--  
NEW YORK CENTRAL RAILROAD  
COMPANY

Finance Docket No. 35289  
(Arbitration Review)

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MOTION FOR EXTENSION OF TIME

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Plaintiffs move this Board pursuant to 49 CFR § 1104.7 for an extension of time to a file a Brief in Opposition to the Penn Central's Petition for Review of Arbitration Decision. Concurrent with the filing of this Motion for Extension Plaintiffs have filed a Motion to Stay Proceedings before this Board until the District Court for the Northern District of Ohio determines its jurisdiction to confirm the same Arbitration Decision which is the subject of Penn Central's Petition for Review.

Accordingly, Plaintiffs respectfully move the Board for an extension of time of thirty days after the Board rules on the Motion to Stay, to oppose Penn Central's Petition for Review on its merits.

This motion is filed to promote judicial efficiency such that Plaintiffs' brief on the merits opposing Penn Central's Petition for Review is considered after District Court determines its jurisdiction.

Respectfully submitted,

/s/ Carla M. Tricarichi

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CERTIFICATE OF SERVICE

A copy of the foregoing was via electronic mail to:

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on this 1st day of September, 2009.

/s/ Carla M. Tricarichi  
Carla M. Tricarichi  
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