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October 27, 2009

Ref. 5053-26541

**By Facsimile: 202-245-0464**

The Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street S.W.  
Washington, D.C. 20423

Re: Ashbro, Inc. adv. Adell, Inc., et al  
Finance Docket No. 35-171  
Our file: 5053-26451

Dear Secretary Quinlan:

I provide this correspondence to update the Surface Transportation Board as was requested. My client is still desirous of amicably resolving this matter with the parties. We still hope to move forward with resolving of our differences in the coming months.

While we understand that the Board and the parties cannot continue this matter indefinitely, we would request that the Board allow us short additional delay to continue to seek, and to hopefully reach, an amicable resolution of this matter. By copy of this correspondence we have informed all other counsel of this request.

Please do not hesitate to contact me at the above-referenced number if you have any questions regarding this matter.

Respectfully submitted,

**GORDON, ARATA, McCOLLAM,  
DUPLANTIS & EAGAN, L.L.P.**

By: \_\_\_\_\_

Christopher B. Bailey

CBB:rb

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cc: Joseph P. Brantley, IV  
(*Counsel for Adell, Inc. via facsimile*)

Donald L. Miers, Jr.  
(*Counsel for Bercen, Inc. via facsimile*)

William C. Sippel  
(*Counsel for Illinois Central Railroad via facsimile*)