

March 23, 2010

Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings

MAR 23 2010

Part of
Public Record

RE: STB Docket No. NOR - 42117, *Cargill, Inc., ExxonMobil Corporation, E.I. du Pont de Nemours and Company, Jones-Hamilton Co., PPG Industries, Inc., Reagent Chemical and Research, Inc., and Taminco Methylamines, Inc. v. Aberdeen and Rockfish Railroad Company, et. al*

Dear Ms. Brown:

Enclosed for filing, please find Complainants' Motion to Dismiss Complaint Against Sandersville Railroad Company.

Sincerely,



Jeffrey O. Moreno
Nicholas J. DiMichael
Counsel for
Cargill Inc.
E.I. du Pont de Nemours and Company
ExxonMobil Corporation
Jones-Hamilton Co.
PPG Industries, Inc.
Reagent Chemical and Research, Inc.
Taminco Methylamines, Inc.

BEFORE THE
SURFACE TRANSPORTATION BOARD

CARGILL, INC. <i>et al.</i>)	
)	
Complainants,)	
)	
v.)	Docket No. NOR-42117
)	
ABERDEEN AND ROCKFISH RAILROAD)	
COMPANY, <i>et al.</i>)	
)	
Defendants.)	

**COMPLAINANTS' MOTION TO DISMISS COMPLAINT AGAINST
SANDERSVILLE RAILROAD COMPANY**

Complainants Cargill, Inc., E.I. du Pont de Nemours and Company, ExxonMobil Corporation, Jones-Hamilton Co., PPG Industries, Inc., Reagent Chemical and Research Inc., and Taminco Methylamines, Inc. seek to dismiss their complaint against Defendant, Sandersville Railroad Company, in light of the facts set forth in Defendant's pleading dated March 18, 2010.

Complainants have verified those facts, and accordingly, hereby request that the Board dismiss the complaint against Sandersville Railroad Company without prejudice.

Respectfully submitted,



Jeffrey O. Moreno
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(202) 331-8800

March 23, 2010

I hereby certify that I have caused the Motion to Dismiss Complaint Against Sandersville Railroad Company to be served by email and first class mail postage prepaid this 23rd day of March 2010, on:

1. The following parties have been served by email:

<p>Michael Rosenthal Covington & Burling LLP 1201 Pennsylvania Avenue, N.W. Washington, DC 20004-2401 <i>For Association of American Railroads Railinc, Corp. BNSF Railway Co. Buffalo & Pittsburgh Railroad, Inc. Canadian National Railway Co. Canadian Pacific Railway Co. CSX Transportation, Inc. Gary Railway Co. Norfolk Southern Railway Co. Rochester & Southern Railroad, Inc. The Kansas City Southern Railway Co. Union Pacific Railroad Co.</i></p>	<p>Robert Vom Eigen Foley & Lardner LLP 3000 K Street, N.W. Sixth Floor Washington, DC 20007-5109 <i>Counsel For Cedar Rapids and Iowa City Railway Co.</i></p>
<p>Eric M. Hocky Thorp Reed & Armstrong, LLP 2005 Market Street, Suite 1000 Philadelphia, PA 19103-7041 <i>Counsel for: Aberdeen and Rockfish Railroad Co., and New York, Susquehanna and Western Railway Corp.</i></p>	<p>Andy Goldstein McCarthy, Sweeney and Harkaway, P.C. 2175 K Street, N.W. Suite 600 Washington, DC 20037 <i>Counsel for: North American Freight Car Association</i></p>
<p>Hugh M. Tarbuton President Sandersville Railroad Company P.O. Box 269 Sandersville, GA 31082</p>	<p>Mark H. Sidman Rose-Michele Nardi Weiner Brodsky Sidman Kider PC 1300 19th Street, N.W. – Fifth Floor Washington, DC 20036 <i>Attorneys for: Central Washington Railroad Company Montana Rail Link, Inc.</i></p>
<p>Louis E. Gitomer The Adams Building, Suite 301 600 Baltimore Avenue Townson, Maryland 21204-4022 <i>Attorney for: Indiana and Ohio Railway Company</i></p>	

2. The following parties have been served by first class mail:

<p>Gary Railway Company c/o Thomas Kelly President Transtar Inc. 1200 Pennsylvania Avenue Suite 300 Pittsburgh, PA 15222</p>	<p>Daniel R. Sabin President Iowa Northern Railway 122 North 2nd Street P.O. Box 640 Greene, IA 50636</p>
<p>Iowa, Chicago & Eastern Railroad Corporation c/o Vern G. Graham President Dakota, Minnesota, and Eastern Railroad Corporation 140 N. Phillips Ave. Sioux Falls, SD 57104</p>	<p>Robert B. Burns Pan Am Railways 1700 Iron Horse Park North Billerica, MA 01862 <i>Attorney for: Boston and Maine Corporation Maine Central Railroad Company Pan Am Railways, Inc. Portland Terminal Company Springfield Terminal Railway Co.</i></p>



Jeffrey O. Moreno