

March 24, 2010

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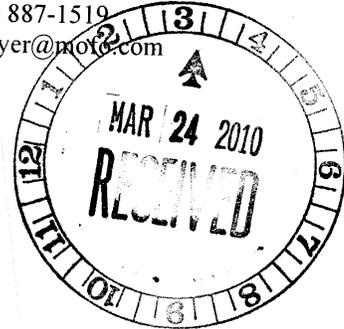
BY HAND DELIVERY

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20024

ENTERED
Office of Proceedings

MAR 29 2010

Part of
Public Record



Re: STB Docket No. 42118

Dear Acting Secretary Quinlan:

Enclosed for filing in the above-referenced docket are an original and ten copies of the Joint Report on Proposed Procedural Schedule, submitted by Brampton Enterprises LLC and Norfolk Southern Railway Company.

Please date stamp the extra copy provided and return it with our waiting messenger.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads 'David L. Meyer'.

David L. Meyer

cc: Jason C. Pedigo, Esq. (counsel for Complainants)
John M. Scheib, Esq.

MAR 29 2010

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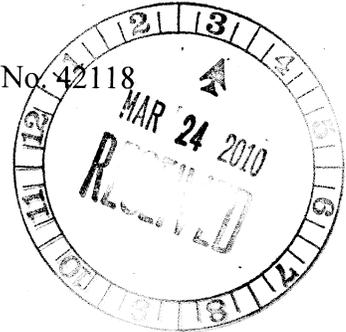
BEFORE THE
SURFACE TRANSPORTATION BOARD

BRAMPTON ENTERPRISES, LLC
D/B/A/ SAVANNAH RE-LOAD

v.

NORFOLK SOUTHERN RAILWAY
COMPANY

Docket No. 42118



JOINT REPORT ON PROPOSED
PROCEDURAL SCHEDULE

Pursuant to 49 C.F.R. § 1111.10, the parties in the above-captioned matter conferred by telephone on March 23, 2010, to discuss discovery and procedural matters, and a potential schedule to govern future activities and deadlines in the case in the event the Complaint is accepted for filing by the Board. The parties agreed that the Board's ruling on the Motion to Dismiss filed by Norfolk Southern Railway Company ("NS") could resolve the case or at least affect the scope of the issues remaining for further litigation. Thus, although the parties agree that discovery would be needed in the event the case is not dismissed in its entirety – *inter alia*, into Brampton's lost profits damages claims – they agree that all such discovery should be deferred until after the Board rules on NS's motion. The parties also agree that it would be premature to establish a firm schedule for further activities and deadlines until the Board rules on NS's motion.

Accordingly, the parties jointly propose the following schedule: Within 14 days of the Board's ruling on NS's Motion to Dismiss, and in the event the Complaint is not dismissed in its entirety, the parties will meet and confer about discovery and procedural

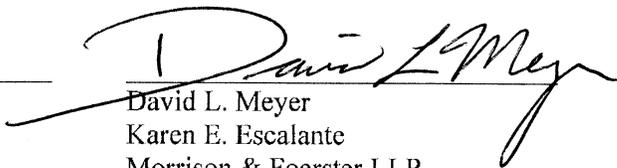
matters, and within 21 days of that ruling they will file with the Board, either jointly or separately, a further report proposing a proposed schedule to govern future activities and deadline in the case.

Respectfully Submitted,



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