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August 10, 2010

Ms. Cynthia Brown
Surface Transportation Board
202-245-0464

Re: FD 35398
FD 35399
FD 35400

ENTERED
Office of Proceedings

AUG 10 2010

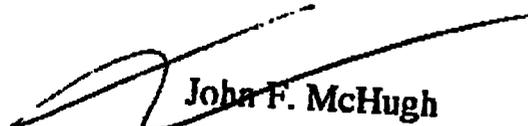
Part of
Public Record

Dear Ms. Brown:

Following please find the three documents Ms. Frankic McNair requested for these three matters.

Thank you for your assistance.

Very truly yours,


John F. McHugh

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35400 ✓

227615

**NOTICE OF EXEMPTION OF B. ROBERT DeMENTO AND BAGGIO
HERMAN DeMENTO TO CONTINUE IN CONTROL AFTER LEASE OF
RAILROAD PROPERTY AND RIGHTS OF BDB COMPANY TO
SWANSON RAIL TRANSFER, L.P.**

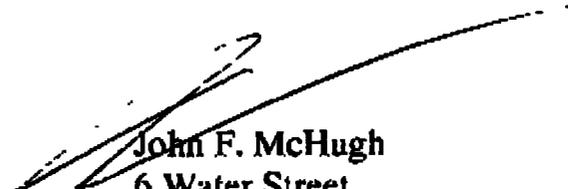
Supplemental statement

Applicants hereby certify that:

1. As BDB with this transaction will become an inactive rail carrier, the railroads here in issue will not connect.
2. The proposed transaction is not part of a series of anticipated transactions which would result in the connection of the carriers with each other or with any railroad in their corporate family.
3. The transaction does not involve a Class I carrier.
4. The combined revenues of the two carriers from the operations facilitated by this transaction will not exceed those which would qualify the combined carriers as a Class III carrier.

5. The carriers neither in themselves nor in combination have market dominance.

Dated, New York, N.Y.
August 10, 2010



John F. McHugh
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VERIFICATION

John F. McHugh declares pursuant to 28 U.S.C. §1746 that he is the attorney for B. ROBERT DeMENTO AND BAGGIO HERMAN DeMENTO and is authorized to make this declaration, and knows the representations hereinabove made in this Notice of Exemption are correct from his own knowledge and/or that he believes the information provided to be correct based upon the information known.

The undersigned declares under penalty of perjury that the forgoing is true.

Dated, New York, N.Y.
August 10, 2010