

STEPTOE & JOHNSON^{LLP}

ATTORNEYS AT LAW

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April 23, 2010

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

**Re: MC-F-21035, Stagecoach Group plc and Coach USA, Inc., et al. --
Acquisition of Control -- Twin America, LLC**

Dear Ms. Brown:

This will further update the Board on the pending proceeding in the New York State Supreme Court in which certain of the Applicants have been named as defendants. *Continental Guest Services Corp. v. International Bus Services, Inc., et al.*, No. 600643/10 (NY Sup Ct. filed March 12, 2010). The hearing on the preliminary injunction sought by the plaintiffs, originally scheduled for April 20, has been postponed until May 27, 2010. Further, a schedule for further submissions has been agreed by the parties pursuant to the attached stipulation, which is awaiting court approval.

Respectfully submitted,



David H. Coburn
Attorneys for Applicants Stagecoach Group
plc; Stagecoach Transport Holdings plc.;
SCUSI Ltd.; Coach USA Administration,
Inc.; Coach USA, Inc.; International Bus
Services, Inc.; CitySights Twin, LLC; Mr.
Zev Marmurstein; and Twin America, LLC

cc: All parties of record
Mark A. Berman, Esq.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
CONTINENTAL GUEST SERVICES CORPORATION,

Plaintiff,

- against -

INTERNATIONAL BUS SERVICES INC. d/b/a GRAY LINE
NEW YORK, CITY SIGHTS TWIN LLC d/b/a CITY SIGHTS
NEW YORK, TWIN AMERICA LLC, BATTERY PARK
HOTEL MANAGEMENT LLC, HAMPTON INN TIMES
SQUARE NORTH, HILTON GARDEN INN TIMES
SQUARE, NEW YORK WEST 35TH STREET HGI, ON THE
AVE HOTEL, THE PARAMOUNT HOTEL NEW YORK,
PARK CENTRAL HOTEL (DE) LLC, THIRTY EAST 30TH
STREET OWNER LLC, TIMES SQUARE HOTEL
OPERATING LESSEE LLC, LEXINGTON HOTEL LLC,
W2001 METROPOLITAN HOTEL OPERATING LESSEE
LLC, and HIGHGATE HOTELS, L.P.,

Defendants,

-----X

Index No. 600643/10

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the undersigned that Plaintiff's Order to Show Cause for a preliminary injunction presently scheduled to be argued on April 20, 2010 is hereby adjourned to May 27, 2010 at 11:00 a.m. Plaintiff's reply papers shall be served upon Defendants' counsel by email by 5:00 p.m. on or before May 7, 2010. In all other respects, the Order to Show Cause with Temporary Restraining Order signed by Judge Charles E. Ramos and entered on March 12, 2010 is hereby confirmed and not otherwise modified.

IT IS FURTHER STIPULATED AND AGREED that the Hotel Defendants' time to answer and/or move with regard to the Summons and Complaint in this action is hereby extended to and including April 22, 2010.

IT IS FURTHER STIPULATED AND AGREED that Plaintiff's opposition, if any, to any motion to dismiss and any motion to stay discovery shall be served upon Defendants' counsel by email by 5:00 p.m. on or before May 7, 2010.

IT IS FURTHER STIPULATED AND AGREED that Defendants' reply, if any, in furtherance of any motion to dismiss and any motion to stay discovery shall be served upon Plaintiff's counsel by email by 5:00 p.m. on or before May 21, 2010.

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the undersigned that any motion to dismiss and any motion to stay discovery filed by Defendants shall be argued on May 27, 2010 at 11:00 a.m.

IT IS FURTHER STIPULATED AND AGREED by and between counsel for the undersigned that, in the event Plaintiff decides to file one omnibus memorandum of law, the substantive portion thereof shall not extend forty-five pages in length.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation and Order may be executed by facsimile and a copy bearing original and/or facsimile signatures shall be treated and deemed for all purposes as an original hereof.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation and Order may be executed in counterparts, each of which shall be deemed an original for all purposes.

Dated: New York, New York
April 15, 2010

Ganfer & Shore, LLP
Attorneys for Plaintiff

By: 

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360 Lexington Avenue, 14th floor
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(212) 922-9250

Siller Wilk LLP
Attorneys for Defendants
the HOTEL defendants:
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NORTH, HILTON GARDEN INN TIMES
SQUARE, NEW YORK WEST 35TH
STREET HGI, ON THE AVE HOTEL, THE
PARAMOUNT HOTEL NEW YORK, PARK
CENTRAL HOTEL (DE) LLC, THIRTY
EAST 30TH STREET OWNER LLC,
TIMES SQUARE HOTEL OPERATING
LESSEE LLC, LEXINGTON HOTEL LLC,
W2001 METROPOLITAN HOTEL
OPERATING LESSEE LLC, and
HIGHGATE HOTELS, L.P.,

By: 
by MPAC

Office and P.O. Address:
675 Third Avenue
New York, New York 10017
(212) 421-2233

Dated: New York, New York
April __, 2010

SO ORDERED:

Hon. Charles E. Ramos

Paul Hastings LLP
Attorneys for Defendants CITY SIGHTS,
TWIN LLC d/b/a CITY SIGHTS NEW
YORK and TWIN AMERICA LLC

By: 

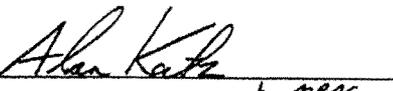
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BUSINESS SERVICES INC. d/b/a GRAY
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TWIN LLC

By: 
by MPAC

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New York, New York 10016

CERTIFICATE OF SERVICE

I certify that I have this 23rd day of April 2010 served a copy of the foregoing Letter of Applicants by Federal Express on the parties listed below:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

U.S. Department of Justice
Antitrust Division
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

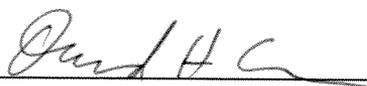
U.S. Department of Transportation
Office of the General Counsel
1200 New Jersey Avenue, S.E.
Washington, DC 20590

New York State
Office of the Attorney General
The Capitol
Albany, NY 12224-0341

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