

RECORDATION NO. 11914-I FILED

MAR 18 '08

10-28 AM

SURFACE TRANSPORTATION BOARD



March 18, 2008

Mr. Vernon Williams  
Recordations Unit  
Surface Transportation Board  
1925 K Street, N.W., Suite 715  
Washington, DC 20423-0006

Dear Mr. Williams.

Please find attached, one (1) copy of the Release dated March 17, 2008 between the following parties:

General Electric Capital Corporation  
120 Long Ridge Road, 3rd Floor  
Stamford, CT 06927

The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

This filing is to appear in the index as follows: Release dated March 17, 2008 related to two hundred twenty-eight (228) railcars bearing reporting marks: ALEX 1201 – 1449, sporadic.

Please file this as a secondary document under Recordation Number 11914-I as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 11914 through 11914-H. The filing fee in the amount of \$35.00 can be charged to our account.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6062.

Sincerely,

THE DAVID J. JOSEPH COMPANY

A handwritten signature in cursive script that reads 'Julie Woodard'.

Julie Woodard  
Documentation Coordinator

Enclosures

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## RELEASE

## SURFACE TRANSPORTATION BOARD

This Release is entered into as of March 17, 2008 by The David J. Joseph Company, a Delaware corporation ("Joseph").

WHEREAS, Joseph and General Electric Capital Corporation are parties to a Purchase and Sale Agreement dated as of September 24, 1998 (the "Agreement") pursuant to which (a) Joseph purchased the railroad cars identified on Exhibit A hereto (the "Railcars") and (b) General Electric Capital Corporation granted Joseph certain rights in such Railcars which operated as a lien upon such Railcars;

WHEREAS, Joseph and General Electric Capital Corporation memorialized the Agreement of record by filing a Memorandum of Assignment and Assumption Agreement dated as of September 24, 1998 between Joseph and General Electric Capital Corporation (the "Memorandum of Assignment and Assumption") with the Surface Transportation Board (the "STB"); and

WHEREAS, the Memorandum of Assignment and Assumption was recorded with the STB on October 7, 1998 and assigned recordation number 11914-H.

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt of which is hereby acknowledged, Joseph acknowledges as follows:

1. The Memorandum of Assignment and Assumption is hereby terminated. Joseph hereby releases all rights, interests or claims to, and all liens and encumbrances upon, the Railcars.

2. Joseph desires to execute this Release for purposes of memorializing of record the agreements set forth herein.

3. This Release shall be recorded with the Surface Transportation Board so as to record the release of the lien against the Equipment constituted by the Lease and should receive Recordation No. 11914-I.

IN WITNESS WHEREOF, Joseph has caused this Release to be duly executed by its authorized officer as of March 17, 2008.

WITNESS:

Julie Woodard

THE DAVID J. JOSEPH COMPANY

By: James H. GoetzName: James H. GoetzTitle: Executive Vice President/CFO

STATE OF OHIO            )  
                                  ) SS:  
COUNTY OF HAMILTON    )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March 2008, by James H. Goetz, the Executive Vice President/CFO of The David J. Joseph Company, a Delaware corporation.

My Commission expires:

9-24-12

*Julie Woodard*  
\_\_\_\_\_  
Notary Public



Julie M. Woodard  
Notary Public, State of Ohio  
My Commission Expires 09-24-2012

**EXHIBIT A**

**DESCRIPTION OF EQUIPMENT**

**CARS:** Two hundred twenty-eight (228) railcars bearing reporting marks:

ALEX

1201	1264	1332	1390
1202	1265	1333	1391
1203	1267	1334	1392
1205	1268	1335	1393
1206	1269	1336	1394
1208	1270	1337	1395
1209	1271	1338	1396
1210	1272	1339	1397
1211	1273	1340	1398
1212	1274	1341	1399
1213	1275	1342	1400
1214	1276	1343	1401
1215	1277	1344	1402
1216	1278	1345	1403
1217	1279	1346	1404
1218	1280	1347	1405
1219	1281	1348	1406
1220	1282	1349	1407
1221	1283	1350	1408
1222	1284	1351	1409
1223	1285	1352	1410
1224	1286	1353	1411
1225	1287	1354	1412
1226	1288	1355	1414
1227	1289	1356	1415
1228	1290	1357	1416
1230	1291	1358	1417
1231	1292	1359	1418
1232	1293	1360	1419
1233	1294	1361	1420
1235	1295	1362	1422
1236	1296	1363	1423
1237	1298	1364	1424
1239	1299	1365	1425
1240	1300	1366	1426
1241	1301	1367	1427
1242	1302	1368	1428
1243	1303	1369	1429
1244	1304	1370	1430
1245	1305	1371	1431

**EXHIBIT A  
(continued)**

ALEX

1246	1307	1372	1432
1247	1308	1373	1433
1248	1310	1374	1434
1249	1311	1375	1435
1250	1314	1376	1436
1251	1317	1377	1437
1252	1318	1378	1438
1253	1319	1379	1439
1254	1320	1381	1440
1255	1321	1382	1441
1256	1322	1383	1442
1257	1324	1384	1443
1258	1327	1385	1444
1259	1328	1386	1445
1261	1329	1387	1447
1262	1330	1388	1448
1263	1331	1389	1449

**EXHIBIT A  
(continued)**

ALEX

1246	1307	1372	1432
1247	1308	1373	1433
1248	1310	1374	1434
1249	1311	1375	1435
1250	1314	1376	1436
1251	1317	1377	1437
1252	1318	1378	1438
1253	1319	1379	1439
1254	1320	1381	1440
1255	1321	1382	1441
1256	1322	1383	1442
1257	1324	1384	1443
1258	1327	1385	1444
1259	1328	1386	1445
1261	1329	1387	1447
1262	1330	1388	1448
1263	1331	1389	1449