

RECORDATION NO. 20970-G  
FILED March 19, 2013 03:39 PM  
SURFACE TRANSPORTATION BOARD



March 19, 2013

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Dear Chief:

Please find attached, one (1) copy of the Partial Release dated March 19, 2013 between the following parties:

Wells Fargo Equipment Finance, Inc.  
733 Marquette Ave, Suite 700  
Minneapolis, MN 55402

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

This filing is to appear in the index as follows: Partial Release dated November 15, 2012 related to (99) ninety-nine railcars bearing reporting marks: CW6500-6599, excluding 6539.

Please file this as a secondary document under Recordation Number 20970-G as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 20970 through 20970-F. The filing fee in the amount of \$42.00 can be charged to our account.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6294.

Sincerely,

Lindsay Ross  
Staff Assistant

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PARTIAL RELEASE

This Release dated as of March 19, 2013 reflects a release of a recordation between The David J. Joseph Company, a Delaware corporation ("Joseph") and Wells Fargo Equipment Finance, Inc., a Minnesota corporation ("WFEFI"). This Release is effective as of November 15, 2012.

WHEREAS, Joseph and WFEFI are parties to a Purchase and Sale Agreement (the "Agreement") pursuant to which (a) WFEFI purchased the railroad cars bearing reporting marks CW 6500-6599, excluding CW 6539 (the "Railcars") and (b) WFEFI granted Joseph certain rights in such Railcars which operated as a lien upon such Railcars;

WHEREAS, Joseph and WFEFI memorialized the Agreement of record by filing a Memorandum of Options, Rights of First Refusal and Remarketing Rights on January 6, 2009 between Joseph and WFEFI (the "Memorandum of Options, Rights of First Refusal and Remarketing Rights") with the Surface Transportation Board (the "STB"); and

WHEREAS, the Memorandum of Options, Rights of First Refusal and Remarketing Rights was recorded with the STB and assigned recordation number 20970-E;

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, the parties agree as follows:

1. The Memorandum of Options, Rights of First Refusal and Remarketing Rights is hereby terminated. The parties hereby (a) release all rights, interests or claims to, and all liens and encumbrances upon, the Railcars as given under the Memorandum of Options, Rights of First Refusal and Remarketing Rights.
2. The parties desire to execute this Release for purposes of memorializing of record the agreements set forth herein.

IN WITNESS WHEREOF, this Release has been duly executed by duly authorized officers of the parties as of the date and year first above written.

**THE DAVID J. JOSEPH COMPANY**

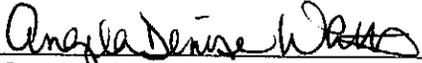
By: Kelly C. Poellen

**Title: Vice President, Finance – Brokerage**

**Date: March 19, 2013**

State of OHIO )  
County of HAMILTON ) ss

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of March, 2013 by Kelly C. Poellein, the Vice President, Finance – Brokerage of The David J. Joseph Company, a Delaware corporation, on behalf of the said corporation.

  
\_\_\_\_\_  
Notary Public  
My commission has no expiration.

**ANGELA DENISE WATTS**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date Section 147.03 O.R.C.