

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35087

**CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION**

-CONTROL-

EJ&E WEST COMPANY

**NOTICE OF WITHDRAWAL OF WILL COUNTY'S
MOTION TO COMPEL DISCOVERY FROM
ELGIN, JOLIET AND EASTERN RAILWAY COMPANY
AND FROM EJ&E WEST COMPANY**

Will County, Illinois ("Will County") withdraws its motion to compel discovery from Elgin, Joliet and Eastern Railway Company and from EJ&E West Company (collectively, "EJ&E"). The parties have reached an agreement which obviates the need for the motion. Will County reserves its right to move to compel in the event the terms of the parties' agreement are not met.

Respectfully submitted,
WILL COUNTY, ILLINOIS

By: Edward R. Gower
EDWARD R. GOWER
Special Assistant Will County State's Attorney

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyllinois.com

Counsel for Will County, Illinois

Dated: February 8, 2008

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing document(s) to be served upon:

Mr. John A. Vuono
Vuono & Gray, LLC
310 Grant Street
Suite 2310
Pittsburgh, PA 15219-2383
VIA FACSIMILE (412-471-4477) AND U.S. MAIL

and

ALL PARTIES OF RECORD

SEE ATTACHED SERVICE LIST

by mailing a true and correct copy thereof from the law office of Hinshaw & Culbertson LLP, 400 South Ninth Street, Suite 200, Springfield, Illinois, 62701, to the persons named as parties of record on the Surface Transportation Board's service list as of this date, February 8, 2008.



EDWARD R. GOWER

Special Assistant Will County State's Attorney
Attorney for Will County, Illinois

Mary M. Tatroe
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Edward R. Gower
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

STB Finance Docket No. 35087

PARTIES OF RECORD

Terence M. Hynes
Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005

Randal W. Jessen
Superintendent of Public Improvements
Village of Plainfield - Public Works
24401 W. Lockport Street
Plainfield, IL 60544

Honorable Carolyn H. Krause
Illinois House of Representatives
200 E. Evergreen, Suite 122
Mt. Prospect, IL 60056

John D. Heffner
John D. Heffner, PLLC
1750 K Street, N.W. Suite 350
Washington, DC 20006

John G. Tolomei
Village Administrator
Village of Lake Zurich
70 E. Main Street
Lake Zurich, IL 60047

Peter J. Shultz
Federal Regulation &
Washington General Counsel
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202

Steven Quigley
Will County Governmental League
50 E Jefferson Street Suite 101
Joliet, IL 60432

Paul Samuel Smith
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Room W94-316 C-30
Washington, DC 20590

John Casper
Oshkosh Chamber of Commerce
120 Jackson Street
Oshkosh, WI 54901

Michael S. Wolly
Zwerdling, Paul, Kahn & Wolly P.C.
1025 Connecticut Avenue, N.W. Suite 712
Washington, DC 20036

Honorable Jesse L. Jackson, Jr.
United States House of Representatives
2419 Rayburn House Office Building
Washington, DC 20515

L. Charles Lukmann, III
Harris Welsh & Lukmann
107 Broadway
Chesterton, IN 46304

Honorable Richard G. Lugar
United States Senate
306 Hart Senate Office Building
Washington, DC 20510

Thomas F. McFarland
Thomas F. McFarland, P.C.
208 South LaSalle Street Suite 1890
Chicago, IL 60604

Mark H. Sidman
Weiner Brodsky Sidman Kider P.C.
1300 19th Street, N.W.
Fifth Floor
Washington, DC 20036

David C. Olson
Minnesota Chamber of Commerce
400 Robert Street North
Suite 1500
St. Paul, MN 55101

Karl B. Browning
Indiana Department of Transportation
100 North Senate Avenue Room N758
Indianapolis, IN 46204

Paul Guthrie
Canadian Pacific Railway Company
401 9th Avenue, S.W.
Gulf Canada Square, Suite 500
Calgary, Alberta T2P 4ZA CD

Andrew Lisak
The Development Association
1401 Tower Avenue, Suite 302
Superior, WI 54880

Harold A. Ross
Brotherhood of Locomotive Engineers and Trainmen
1370 Ontario Street, Mezzanine
Cleveland, OH 44113

Neil Volmer
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Donald C. McCrory
Memphis and Shelby County Port Commission
1115 Riverside Blvd.
Memphis, TN 38106

Paul A. Cunningham
Harkins Cunningham LLP
1700 K Street, NW, Suite 400
Washington, DC 20006

Timothy A. Brown
Town of Merrillville
7820 Broadway
Merrillville, IN 46410

Kevin M. Sheys
Kirkpatrick & Lockhart Preston Gates Ellis LLP
1601 K Street, N.W.
Washington, DC 20006

Timothy R. Sheehy
Metropolitan Milwaukee
Association of Commerce
756 North Milwaukee Street, Suite 400
Milwaukee, WI 53202

W. James Wochner
The Kansas City Southern Railway Company
427 West 12th Street
Kansas City, MO 64121

Honorable Peter J. Visclosky
United States House of Representatives
701 East 83rd Avenue, Suite 9
Merrillville, IN 46410

Alan Anderson
Southern Wayne County Regional Chamber
20600 Eureka Road, Suite 315
Taylor, MI 48181

Chris Curry
Gary/Chicago International Airport Authority
6001 W. Industrial Highway
Gary, IN 46406

John Sobotik
Wisconsin Department of Transportation
4802 Sheboygan Avenue, Room 11 5B
P.O. Box 7910
Madison, WI 53707

William A. Mullins
Baker & Miller PLLC
2401 Pennsylvania Avenue, N.W.
Suite 300
Washington, DC 20037

Joseph Reitemeier
Fond du Lac Area Chamber of Commerce
207 North Main Street
Fond du Lac, WI 54935

Honorable Melissa L. Bean
United States House of Representatives
512 Cannon House Office Building
Washington, DC 20115

Thomas R. Anderson
Save the Dunes Council Inc.
444 Barker Rd.
Michigan City, IN 46360

Katherine Dodds
Aux Sable Liquid Products, Inc.
6155 East US Route 6
Morris, IL 60450

Stanley Dobosz
Town of Griffith
111 N. Broad Street
Griffith, IN 46319

Dennis H. Miller
Iowa Interstate Railroad Ltd.
5900 6th Street, S.W.
Cedar Rapids, IA 52404

Timothy A. Baldermann Mayor
Village of New Lenox
1 Veterans Parkway
New Lenox, IL 60451

Gordon P. MacDougall
1025 Connecticut Avenue, N.W.
Washington, DC 20036

Joseph P. Clary
Illinois Department of Transportation
Division of Public and Intermodal Transportation
300 W. Adams, 2nd Floor
Chicago, IL 60606

Richard Harnish
Midwest High Speed Rail Association
P.O. Box 805877
Chicago, IL 60680

Eileen Phipps
Village of Wayne
5N430 Railroad Street
P.O. Box 532
Wayne, IL 60184

John A. Lobaito
Village of Mundelein
440 East Hawley Street
Mundelein, IL 60060

Honorable Thomas McDermott, Jr.
c/o City of Hammond
5925 Calumet Avenue
Hammond, IN 46320

John Mezera City of Joliet
150 West Jefferson Street
Joliet, IL 60432

Cameron Moore
Champaign County Regional Planning Commission
1776 East Washington Street
P.O. Box 17760
Urbana, IL 61803

Rod Nilsestuen
Department of Agriculture,
Trade and Consumer Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708

Luann Hamilton
Chicago Department of Transportation
30N. LaSalle Street, Suite 500
Chicago, IL 60602

Robert W. Baker
Village of Trout
P.O. Box 621
Cary, IL 60013

David Cline
Mayor, City of Mattoon
208 North 19th
Mattoon, IL 61938

Meleah Geertsma
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1300
Chicago, IL 60601

Brad Cole
Mayor, City of Carbondale, Illinois
200 South Illinois Avenue
P.O. Box 2047
Carbondale, IL 62902

Kelvin J. Dowd Slover & Loftus
1224 Seventeenth Street, NW
Washington, DC 20036

Joseph W. Werner
Village Mokena
11004 Carpenter Street
Mokena, IL 60448

Honorable Pamela J. Althoff
Illinois State Senate
One North Virginia Street
Crystal Lake, IL 60014

Bruce A. Knight
City of Champaign Planning Department
102 North Neil Street
Champaign, IL 61820

Richard Greene
Naperville Area Chamber of Commerce
55 South Main Street
Naperville, IL 60540

Morgan B. Johnston
University of Illinois at Urbana-Champaign
Physical Plant Services Building
1501 South Oak Street
Champaign, IL 61820

Marcie Schatz
Director of TED Business Group
City of Naperville
400 S. Eagle Street
Naperville, IL 60540

Gary D. Adams
Village Administrator
Village of Oswego
113 Main Street
Oswego, IL 60543

John Eichelberger, Fire Chief
Plainfield Fire Protection District
15025 S. Desplaines Street
Plainfield, IL 60014

Laura E. Weis
Champaign County Chamber of Commerce
1817 S. Neil Street, Suite 201
Champaign, IL 61820

Honorable Evan Bayh
United States Senate
131 Russell Senate Office Building
Washington, DC 20510

Michael J. Van Poucke
The Macom Corporation
3380 Lacrosse Lane, Suite 100
Naperville, IL 60564

Honorable Karen A. Yarbrough
Illinois House of Representatives
272 - Stratton Building
Springfield, IL 62706

Mark L. Fowler
Northwest Municipal Conference
1616 East Golf Road
Des Plaines, IL 60016

Honorable Janice D. Schakowsky
United States House of Representatives
1027 Longworth House Office Building
Washington, DC 20515

Randall S. Blankenhorn
Chicago Metropolitan Agency for Planning
233 South Wacker Drive, Suite 800,
Sears Tower Chicago, IL 60606

Honorable Angelo Saviano
Illinois House of Representatives
314 State House
Springfield, IL 62706

Anthony Arredia, Mayor
City of Des Plaines
1420 Miner Street
Des Plaines, IL 60016

Honorable Elaine Nekritz
Illinois House of Representatives
24 South Des Plaines River Road, Suite 400
Des Plaines, IL 60016

A. George Pradel, Mayor
City of Naperville
400 S. Eagle Street
Naperville, IL 60540

Robert J. Schillerstrom, Chairman
DuPage County Board
421 N. County Farm Road
Wheaton, IL 60187

Honorable Debbie Stabenow
United States Senate
133 Hart Senate Office Building
Washington, DC 20510

Honorable Joe Knollenberg
United States House of Representatives
2349 Rayburn House Office Building
Washington, DC 20515

Craig Thompson
Transportation Development Association of Wisconsin
131 W. Wilson Street, Suite 302
Madison, WI 53703

Brian McCarthy
ArcelorMittal USA Inc.
One Dearborn Street
Chicago, IL 60603

Jamie Bowden
Village Administrator
Village of Channahon
24555 S. Navajo Drive
Channahon, IL 60410

Steven Bosco Village of Bartlett
228 S. Main Street
Bartlett, IL 60103

Stan Wojtasiak Naperville Township
31 W 331 North Aurora Road
Naperville, IL 60563

Anna Montana, Mayor
Village of Schiller Park
9526 west Irving Park Road
Schiller Park, IL 60176

David Ross, President
Duluth Area Chamber of Commerce
5 West First Street, Suite 101
Duluth, MN 55802

Honorable Mike Fortner
Illinois House of Representatives
135 Fremont Street
West Chicago, IL 60185

Daniel R. Elliott, III
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107

Joseph J. Plaistow
L.E. Peabody & Associates, Inc.
1501 Duke Street, Suite 200
Alexandria, VA 22314

Honorable Carl Levin
United States Senate
269 Russell Senate Office Building
Washington, DC 20510

Honorable Thaddeus McCotter
United States House of Representatives
1632 Longworth House Office Building
Washington, DC 20515

Honorable William E. Peterson
Illinois State Senate
3050 North Main Street
Buffalo Grove, IL 60089

Steve Greenberg
4730 Westbury Drive
Long Grove, IL 60047

Honorable Candice S. Miller
U.S. House of Representatives
228 Cannon House Office Building
Washington, DC 20515

Rodney W. Kreunen
Wisconsin Railroad Commissioner
610 N. Whitney Way
P.O. Box 8968
Madison, WI 53708

Honorable Terry Link
Illinois State Senate
321 State Capitol Building
Springfield, IL 62706

George W. Mayo, Jr.
Hogan & Hartson LLP
555 Thirteenth Street, NW
Washington, DC 20004

Nicholas J. DiMichael
Thompson Hine LLP
1920 N Street, N.W., Suite 800
Washington, DC 20036

Thomas F. DeGiulio
Town of Munster
1005 Ridge Road
Munster, IN 46321

Maurice Gratton
PGAC Shippers' Group
800, 717-7th Avenue SW
Calgary, Alberta T2P 0Z3

Becky Barnhart
5327 Cedar Drive
Naperville, IL 60564

Paul Hayes
One Town Square
Dyer, IN 46311

Edward W. Paesel
South Suburban Mayors & Managers Association
1904 W. 174th Street
East Hazel Crest, IL 60429

William H. Brimm
Village of Buffalo Grove
50 Raupp Boulevard
Buffalo Grove, IL 60089

Honorable Tim Walberg
U.S. House of Representatives
325 Cannon House Office Building
Washington, DC 20515

Honorable Mark Beaubien
Illinois House of Representatives
314 State House
Springfield, IL 62706

Gerald J. Roper
Chicagoland Chamber of Commerce
200 E. Randolph Street, Suite 2200
Chicago, IL 60601

Thomas and Patricia Wichlinski
1033 N. Broad Street
Griffith, IN 46319

John M. Scheib
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510

Timothy J. Sanders
Northwest Indiana Regional Development Authority
9800 Connecticut Drive
Crown Point, IN 46307

Honorable Michael W. Tryon
State Representative
1 N. Virginia Street
Crystal Lake, IL 60014

Honorable Robert A. Rita
Illinois House of Representatives
4818 W. 137th Street, Suite 2
Crestwood, IL 60445

Honorable John M. Shimkus
U.S. House of Representatives
2452 Rayburn House Office Building
Washington, DC 20515

Don A. De Graff, Mayor
Village of South Holland
16226 Wausau Avenue
South Holland, IL 60473

Terri Blackmore
Washtenaw Area Transportation Study
705 North Zeeb Road, 2nd Floor
Ann Arbor, MI 48103

Alayne M. Weingartz
Corporation Counsel City of Aurora
44 East Downer Place
Aurora, IL 60507

John D. Tomasko, City Administrator
City of Crest Hill
1610 Plainfield Road
Crest Hill, IL 60403

Hildy L. Kingma
Village Hall
350 Victory Drive
Park Forest, IL 60466

Jery G. Arthur
Supply Chain Management Consultant
833 Shoreline Road
Lake Barrington, IL 60010

George W. Mayo, Jr.
National Railroad Passenger Corporation
555 Thirteenth Street, NW, Columbia Square
Washington, DC 20004

Adrian L. Steel, Jr.
Mayer Brown LLP
1909 K Street, N.W.
Washington, DC 20006

Honorable Susan Garrett
Illinois State Senate
129 Capitol Building
Springfield, IL 62706

Ross B. Capon
National Association of Railroad Passengers
900 Second Street, NE, Suite 308
Washington, DC 20002

Steven L. Matrisch
Office of Transportation Counsel
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Erik Kotewa, Deputy Director
Champaign County EDC
1817 S. Neil Street
Champaign, IL 61820

David M. Austgen
Town of Schererville
Lake County, Indiana
130 North Main Street
Crown Point, IN 46307

John W. Gohmann
Small Railroad Business Owners of America
508 Cleveland Avenue North
St Paul, MN 55144

Honorable John D. Dingell
U.S. House of Representatives
2328 Rayburn House Office Building
Washington, DC 20515

Eric L. Hirschhorn
Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006

Michael L. Rosenthal
Covington & Burling LLP
1201 Pennsylvania Avenue, N.W.
Washington, DC 20115