

ENTERED
Office of Proceedings
December 4, 2020
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 36464

GRAFTON AND UPTON RAILROAD COMPANY --
PETITION FOR DECLARATORY ORDER

**MOTION TO HOLD PROCEEDING
IN ABEYANCE**

Grafton and Upton Railroad Company ("GU") hereby requests the Board to hold this proceeding in abeyance. GU and the Town of Hopedale, Massachusetts (the "Town") have engaged in discussions concerning the possible resolution of the issues described in the Verified Petition for Declaratory Order filed by GU with the Board on November 23, 2020. These issues include matters raised by the Town in the litigation it has filed in the Land Court in Massachusetts and the preemption issues raised by GU in the Verified Petition.

In order to afford GU and the Town time within which to explore an amicable resolution, the Board is requested to hold the proceeding in abeyance until January 31, 2021. GU will file a status report with the Board on or before January 31, 2021.

Counsel for the Town has authorized GU to state that the Town agrees with this request to hold the proceeding in abeyance.

Respectfully,

/s/James E. Howard

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Attorney for Grafton and
Upton Railroad Company

Dated: December 3, 2020

CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2020, I served a copy of the foregoing Motion to Hold Proceeding in Abeyance on counsel for the Town of Hopedale, Massachusetts by email as follows:

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/s/James E. Howard
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