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October 22, 2003

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Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

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Re: STB Docket No. 42079, Ag Processing Inc v. Norfolk Southern
Railway Company.

Dear Secretary Williams:

We have previously advised you that, because of certain discussions that have taken place between Norfolk Southern Railway ("NS") and National Grain and Feed Association (of which Ag Processing is a member), it appeared possible that consideration is being given by NS to certain actions that could moot the issues in this proceeding, in whole or in part. Our office has been informed that consideration continues to be given by NS to such actions. Accordingly, Ag Processing hereby extends its request that the Board take no further action in this case at this time. Ag Processing will keep the Board informed and advise it whether there is a need to proceed with this litigation.

Sincerely,

Andrew P. Goldstein

Andrew P. Goldstein
Attorney for
Ag Processing Inc

cc: Counsel for Norfolk Southern Railway