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December 16, 2019

300181

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

ENTERED
Office of Proceedings
December 16, 2019
Part of
Public Record

Re: STB Docket No. AB- 541 (Sub-No. 2X)
Portland & Western Railroad, Inc.
-Discontinuance of Service Exemption-
In Clatsop County, OR

Dear Ms. Brown:

On December 6, 2019, Portland & Western Railroad, Inc. (“PNWR”) filed a notice of discontinuance in the above referenced docket to discontinue a portion of the Astoria Branch in Clatsop County, OR. After submitting the notice of discontinuance, it was brought to our attention that the legal advertisement published in the Oregonian (Exhibit B – Newspaper Notice) contained an error – stating that PNWR intended to file its notice of discontinuance on December 6, 2020 instead of December 6, 2019.

On December 13, 2019, PNWR published a corrected legal advertisement in the Oregonian. The corrected legal advertisement and an affidavit from the Oregonian verifying that it published the revised notice are enclosed as “Revised Exhibit B – December 13, 2019 Newspaper Notice.”

If you have any questions, please let me know.

December 16, 2019
Page 2

Thank you,

A handwritten signature in blue ink, appearing to read "Justin J. Marks". The signature is fluid and cursive, with the first name "Justin" and last name "Marks" clearly distinguishable.

Justin J. Marks
Counsel for Portland & Western Railroad, Inc.

cc: Parties on the Service List

Enclosure

REVISED EXHIBIT B

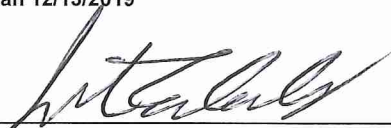
DECEMBER 13, 2019 NEWSPAPER NOTICE

AD#: 0009442264

State of Oregon,) ss
County of Multnomah)

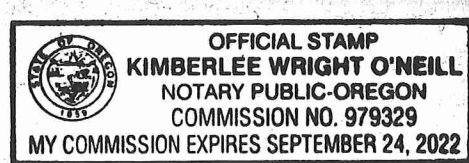
Justin Eubanks being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Oregonian 12/13/2019


Principal Clerk of the Publisher

Sworn to and subscribed before me this 13th day of December 2019


Notary Public



REVISED NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

The Portland & Western Railroad, Inc. (PNWR) issues this revised notice that on **December 6, 2019**, it filed with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption pursuant to the provisions of 49 CFR Part 1152 Subpart F - Exempt Abandonments and Discontinuances of Service and Trackage Rights permitting PNWR to discontinue service over approximately 22.58 miles of the line of railroad between milepost 96.88 near Tongue Point/Astoria and milepost 74.3 near Wauna, in Clatsop County, Oregon. The Line traverses through United States ZIP Code 97013. The PNWR proceeding will be docketed as STB Docket No. AB-541 (Sub-No. 2X).

Because the proposed action entails the discontinuance of service over the Line, rather than abandonment, no environmental or historic documentation is required under 49 CFR 1105.6 and 1105.8. Appropriate offers of financial assistance to subsidize rail service can be filed with the STB. Trail use / rail banking and public use condition requests are not appropriate in discontinuance proceedings.

An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance to subsidize rail service) must be filed directly with the STB's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423-0001 [see 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [see 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance may be directed to the STB's Office of Public Assistance, Governmental Affairs and Compliance at 202-245-0238. Copies of any comments or requests for conditions should be served on PNWR's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004; 202-772-0916.

RAVENS 42, JETS 21

A division-winning, record-breaking night

David Ginsburg Associated Press

BALTIMORE — Lamar Jackson threw five touchdown passes, scurried into the NFL record book and guided the Baltimore Ravens to their second straight AFC North title and 10th consecutive victory, 42-21 over the New York Jets on Thursday night.

Baltimore (12-2) took control with touchdowns on its first three possessions and Jackson made it 28-7 in the third quarter with a 24-yard scoring pass to rookie Marquise Brown following a turnover by New York (5-9).

That was enough to assure the Ravens another division title after they clinched a playoff berth four days earlier in Buffalo. With a victory next week in Cleveland, the Ravens will be assured the top seed in the AFC, a distinction that comes with home-field advantage leading up to the Super Bowl.

Jackson ran for 86 yards (on eight carries) to break Michael Vick's single-season record for a quarterback. Jackson has 1,108 yards rushing. Vick had 1,039 for Atlanta in 2006.

On this night, however, Jackson did most of the damage with his right arm. He completed 15 of 23 passes for 212 yards and increased his NFL-leading total of touchdown passes to 33, tying the franchise season record set by Vinny Testaverde in 1996.

After Jackson's pass to Brown, many in the crowd of 70,545 chanted "MVP! MVP!" There was a reprise of the mantra late in the third quarter when Jackson hit Seth Roberts for a 33-yard touchdown. The score came after Jackson connected with tight end Mark Andrews for a 36-yard completion on a fourth-and-1 from the Baltimore 29.

Not once throughout his exceptional performance did Jackson show any sign of being slowed by a quadriceps injury that made headlines in the days leading up to the game.

The Jets, meanwhile, hardly looked like a team that had won four of their previous five games. Sam Darnold threw two touchdown passes to Jamison Crowder but the second-year quarterback also tossed an interception and lost a fumble.

The first turnover ruined a potential scoring drive near the end of the first half and the latter miscue immediately preceded Jackson's TD pass to Brown.



Quarterback Lamar Jackson celebrates during the Baltimore Ravens' home win over the New York Jets. Patrick Smith, Getty Images

Darnold went 18 for 32 for 218 yards.

The Jets' other touchdown came on a blocked punt in the fourth quarter.

New York's defense came in ranked second in the NFL against the rush, but the unit was no match for the league's top running game. The Ravens amassed 218 yards on the ground, including 76 by Mark Ingram.

Jackson broke Vick's rushing mark on Baltimore's opening possession while guiding the Ravens on an 84-yard march. The dual-threat quarterback ran three times for 27 yards and completed all three of his passes for 41 yards before Ingram ran in from the New York 6.

Jackson supplanted Vick in the record book with a 5-yard run from the Jets 11.

It was more of the same on Baltimore's second drive. A 29-yard run by Ingram and a 25-yard impromptu jaunt out of the pocket by Jackson preceded a 5-yard touchdown pass to rookie Miles Boykin.

NFL

Former players charged in health care scheme

Michael Balsamo Associated Press

Ten former NFL players were charged in a multimillion-dollar scheme to defraud the league's health care benefit program by submitting false claims for medical equipment, including devices used on horses, the Justice Department said Thursday.

The players were charged in two separate indictments filed in federal court in Kentucky, accusing them of conspiracy, wire fraud and health care fraud. Prosecutors allege they submitted nearly \$4 million in phony claims, leading to payouts of about \$3.4 million between June 2017 and December 2018.

Those charged include former Washington and Denver star Clinton Portis.

Prosecutors allege the players targeted the Gene Upshaw NFL Player Health Reimbursement Account Plan, which was established as part of a collective bargaining agreement in 2006. It provides tax-free reimbursement of out-of-pocket medical care expenses that were not covered by insurance and that were incurred by former players, their spouses and dependents.

"As outlined in the indictments, a group of former players brazenly defrauded the plan by seeking reimbursements for expensive medical equipment that they never purchased," said Assistant Attorney General Brian Benczkowski, who leads the Justice Department's criminal division.

The players claimed to have purchased hyperbaric oxygen chambers, ultrasound machines and electromagnetic therapy devices that were designed to be used on horses, he said.

Prosecutors say the group's alleged ringleaders, Robert McCune and Cornell Buckhalter — who they allege broke off to create his own similar ring — would recruit former players by offering to submit fake claims to the health care plan. The ringleaders would then demand thousands of dollars in kickbacks for each fake claim, prosecutors allege.

After the phony claims were submitted, the former players would receive reimbursement checks and pay a kickback



Clinton Portis is among the 10 former NFL players who have been charged with defrauding the league's health care benefit program. Associated Press, file

to the ringleaders and recruiters, the indictments charge.

Four of the suspects, McCune, Carlos Rogers, John Eubanks and Ceandris Brown, were arrested Thursday morning by the FBI. Six others had agreed to surrender to authorities, the Justice Department said. They are: James Butler, Fredrick Bennett, Etric Pruitt, Tamarick Vanover, Portis and Buckhalter.

The Justice Department has also filed court papers in Kentucky noting that it plans to file charges against two other players as well, including Joe Horn, a four-time Pro Bowl wide receiver for the New Orleans Saints, and Donald "Reche" Caldwell.

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PUBLIC NOTICES

PUBLIC NOTICES GENERAL

NOTICE is hereby given that the following individual is indebted to Willamette Express Moving and Storage for past due rent and other charges. Auction will be conducted pursuant to ORS 87.869. Auction will be conducted by **Willamette Express Moving and Storage, 2505 SE Stubb St., Milwaukie, OR, starting December 28, 2019 from 10 a.m. to Noon.** Willamette Express reserves the right to bid on any unit. Sale of a unit is subject to cancellation in the event of a settlement between Landlord and obligated party.
Adrianne Derby ~ 1500 lbs Miscellaneous Household goods; **Susan Koeblin** ~1500 lbs Miscellaneous Household goods; **Richard Morris** ~ 1000 lbs Miscellaneous Household goods

Public Meeting

A combined public meeting of the Washington County Consolidated Communications Agency's Chief Executive Officers Board and Board of Commissioners will be held at 3:00 pm on December 19, 2019 at 17911 NW Evergreen Place, Beaverton, OR. Items to consider include routine business & financials.

CRAB COMMISSION SEEKS MARKETING PROPOSALS

The Oregon Dungeness Crab Commission strives to "enhance the image of Oregon Dungeness Crab" and the men and women who make up the commercial fishery. To carry out its mission, the Oregon Dungeness Crab Commission will consider funding advertising and other promotional projects conducted by outside organizations if the project(s) help to further advance that mission. Proposals must be submitted on the ODCC Authorization Request Form (which can also be found at the bottom of our Promotional Materials page <http://oregondungeness.org/promotional-materials/>) and will be considered by the Oregon Dungeness Crab Commission using the following procedures: Proposals must be submitted by January 8, 2020 to be included for consideration by an ODCC sub-committee meeting to be held in January. Finalists will be contacted with details of date/time and location. The Oregon Dungeness Crab Commission's fiscal year runs through June 30th. Organizations will be notified by February 8, 2020, as to if their funding was approved or not. Funding proposals may be accepted at other times during the Fiscal Year at the ODCC's discretion.
Email Complete Authorization Request To:
Oregon Dungeness Crab Commission
964 Central Ave, PO BOX 1160, Coos Bay, OR 97420
Email: Tim@OregonDungeness.org

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Today's New York Times

Crossword Puzzle Solved

A	D		S	E	G	S		O	T	O	L
K	A	O	G	N	I	R	S	S	E	G	A
D	E	I	N	I	O	P	N	I	P	E	G
E	H	T	A	W	S		T	O	K	E	E
V	I	W	S	A	V	L	P		D	I	O
S	A	T	V			E	A	W	E	I	T
	F	F	O	D	E	K	C	V	L	S	
			T	E	K	A	V	A	E	P	
S	S	A		N	O	I	A	T	W	A	
K	C	I	P	O	J	N	A	B		N	A
S	I	S	V	O		D	N	E	S	T	I
T	N	A	N	M	E	R		T	N	E	C
K	O	R	G		R	E	W	W	A	H	M
S	I	O		D	E	T	V	R	O		T
T	E	B			D	A	V	H	I	J	G

**Service List for
STB Docket No. AB-541 (Sub-No. 2X)**

Oregon Department of Transportation
Rail and Public Transit Division
555 13th St. NE
Salem, OR 97301-4179

United States Department of the Army
Military Surface Deployment and Distribution
Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National
Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

U.S. Department of the Interior -
National Park Service
RTCA Program
1849 C Street, NW
Washington, DC 20240

Office of Chief of Forest Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1111