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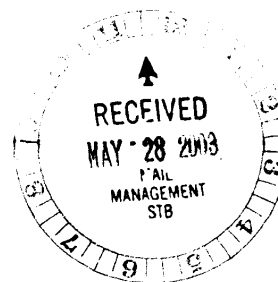
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May 22, 2000

ENTERED
Office of Proceedings

MAY 28 2003

Part of
Public Record



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW, Room 700
Washington, DC 20423-0001

Re: C&NC Railroad Corporation v. Union Pacific Railroad Company
STB Docket No: 42074

Dear Sir:

On May 16, 2003 the Board issued a decision in the above docket regarding detention charges sought to be collected by C&NC. The Board noted that C&NC detention charges are designed by C&NC for when its cars are held longer than necessary. The Board concluded that the party which held the car was the shipper not UP and dismissed this matter.

Please be advised that in the subsequent investigation of this matter but prior to the Board's decision, the parties obtained documentation indicating that the shipper had returned the car to UP and that the car was held by UP. As a consequence, UP agreed to pay C&NC's charges in settlement of this matter.

The undersigned counsel inadvertently failed to promptly advise the Board of the resolution of this matter and apologizes to the Board for that oversight. Accordingly, given the

Vernon Williams
May 22, 2003
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resolution of this matter by the parties, it is respectfully requested that the Board's decision in this docket be withdrawn.

Very truly yours,

RICHARD R. WILSON, P.C.

A handwritten signature in black ink, appearing to read "Richard R. Wilson", with a long horizontal flourish extending to the right.

Richard R. Wilson

RRW/bab

xc: Mary Ann Kilgore, Union Pacific Railroad Company
C&NC Railroad Company

RICHARD R. WILSON, P.C.

Attorney at Law

A Professional Corporation

127 Lexington Avenue, Suite 100

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Of Counsel to:

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February 20, 2002

SENT VIA FACSIMILE AND U.S. REGULAR MAIL

Mary Ann Kilgore

General Attorney

Union Pacific Railroad Company

1416 Dodge Street

Room 830

Omaha, NE 68179-0001

Re: C&NC v. UP - Side Car Detention Charges

Dear Ms. Kilgore:

The purpose of this letter is to confirm our arrangements regarding settlement of the above captioned claim. I understand that you will send to be a check made payable to C&NC Railroad Corporation in the amount of \$9,700.00. Upon receipt of that check, I will provide you with a letter signed by myself and Mr. S. N. Wendelin of C&NC Railroad Corporation acknowledging the settlement of this claim and releasing Union Pacific Railroad Corporation from any and all liability with respect thereto. I will also file a letter with the Surface Transportation Board advising that this matter has been settled and requesting that our pending complaint be dismissed.

Thank you for your assistance with this matter.

Very truly yours,

RICHARD R. WILSON, P.C.



Richard R. Wilson

RRW/bab

xc: S. N. Wendelin

Law Department

Mary Ann Kilgore
General Attorney
(402) 271-4195

UNION PACIFIC RAILROAD COMPANY



1416 DODGE STREET
ROOM 830
OMAHA, NEBRASKA 68179-0001
FAX (402) 271-5610

March 19, 2003

Mr. Richard R. Wilson, P.C.
127 Lexington Avenue
Suite 100
Altoona, PA 16601

Re: C&NC Railroad Corporation v. Union Pacific Railroad Company

Dear Mr. Wilson:

In accordance with your letter to me of February 20, 2002 (sic), enclosed please find Union Pacific Check No. 0730140 in the amount of \$9,700. Please forward the release letter described in your letter, and copy me on your letter to the STB dismissing C&NC's pending complaint. Thank you.

Very truly yours,



Mary Ann Kilgore
General Attorney

Enc.

cc: Marce Bridgewater
Sarah Krueger