

WILLIAM H. SORRELL
ATTORNEY GENERAL

J. WALLACE MALLEY, JR.
DEPUTY ATTORNEY GENERAL

WILLIAM E. GRIFFIN
CHIEF ASST. ATTORNEY GENERAL



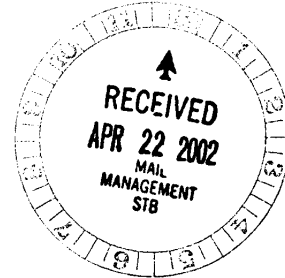
STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
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05609-1001

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<http://www.state.vt.us/atg>

April 15, 2002

Vernon A. Williams, Esq., Secretary
Surface Transportation Board
1925 K Street, N.W., Suite 700
Washington D.C. 20423



Re: Finance Docket No. 34052
Green Mountain Railroad Corporation - Petition for Declaratory Order

Dear Secretary Williams:

This letter is in response to the letter of March 22, 2002 from Green Mountain Railroad to the Surface Transportation Board, regarding the March 21, 2002 Order of the Vermont Federal District Court in the pending federal court companion case.

The District Court's Order recapitulated the Court's previous directive that "further development of the record" was necessary before the Court could reach a final resolution of the matter. To that end the State of Vermont submitted a proposed discovery schedule, attached, to counsel for Green Mountain Railroad on March 29, 2002, to provide for proper development of the record.

The State of Vermont has, in addition, propounded Requests to Admit on Green Mountain Railroad (see attached discovery certificate).

As discovery in the Federal District Court case is ongoing, the State of Vermont asks this Board to abstain from ruling on the petition for Declaratory Ruling in the above- referenced docket until the Federal Court has completed its consideration of the issues, in accordance with this Board's October 17, 2001 Order.

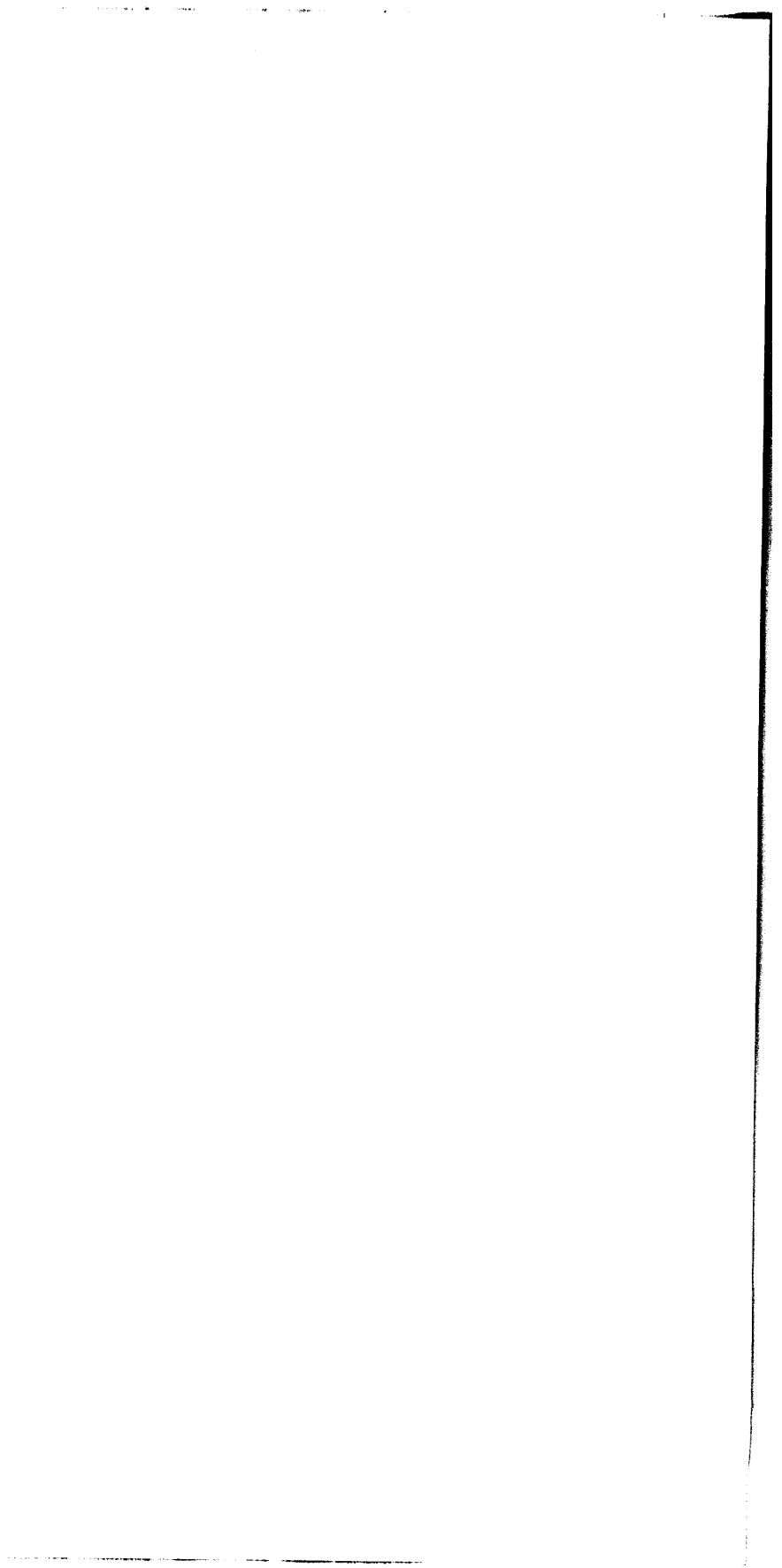
Sincerely,

A handwritten signature in cursive script, appearing to read "Jeanne Elias".

Jeanne Elias
Rebecca Ellis
Assistant Attorneys General

ENTERED
Office of the Attorney General
APR 22 2002
Public Records

Enclosures
Cc: Service List



WILLIAM H. SORRELL
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J. WALLACE MALLEY, JR.
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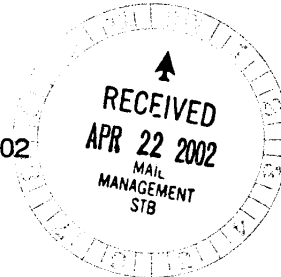


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OFFICE OF THE ATTORNEY GENERAL
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MONTPELIER
05609-1001

March 29, 2002



Robert B. Luce, Esq.
Downs, Rachlin & Martin
199 Main Street
P.O. Box 190
Burlington, VT 05402-0190

Re: Green Mountain Railroad Corporation v. State of Vermont, et al.
Docket No. 1:01-cv-181

Dear Bob:

Enclosed please find a proposed discovery schedule in the above-referenced case. If this is satisfactory to you, please sign it and file it with the court, making sure to send me a copy for our files. If you have changes you would like to discuss, please call me at (802) 828-3193 at your earliest convenient opportunity. Given that the filing of this schedule is belated and requires our joint agreement, your immediate attention to this matter is appreciated.

Sincerely,

Jeanne Elias
Jeanne Elias
Assistant Attorney General

Enclosure

ENTERED
Office of the Secretary

Public Health

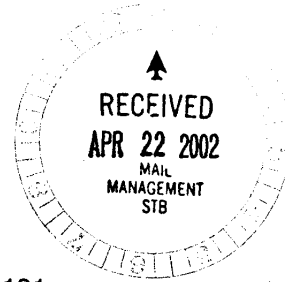
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Green Mountain Railroad Corporation,
Plaintiff

v.

State of Vermont, Vermont Agency of
Natural Resources, and William H. Sorrell
as Attorney General of the State of
Vermont,
Defendants

Docket No. 1:01-cv-181



STIPULATED DISCOVERY SCHEDULE/ORDER

The parties submit the following Discovery Schedule pursuant to Local Rule
26.1(b):

1. The parties shall serve initial disclosures pursuant to Fed. R. Civ. P.
26(a)(i) on or before May 15, 2002.
2. The parties shall serve all interrogatories on or before June 3, 2002.
3. The parties shall serve all requests for production or admission on or
before July 1, 2002.
4. Depositions of all non-expert witnesses shall be completed by October 1,
2002.
5. Plaintiff shall submit expert witness reports on or before August 1, 2002.
Depositions of plaintiff's expert witnesses shall be completed by October 1, 2002.

6. Defendants shall submit expert witness reports on or before September 3, 2002. Depositions of defendants' expert witnesses shall be completed by October 1, 2002.

7. All discovery shall be complete by October 1, 2002.

8. All motions, including summary judgment motions, shall be filed on or before November 1, 2002.

9. This case shall be ready for trial by December 2, 2002.

Date

Date

March 29, 2002

Robert B. Luce, Esq.

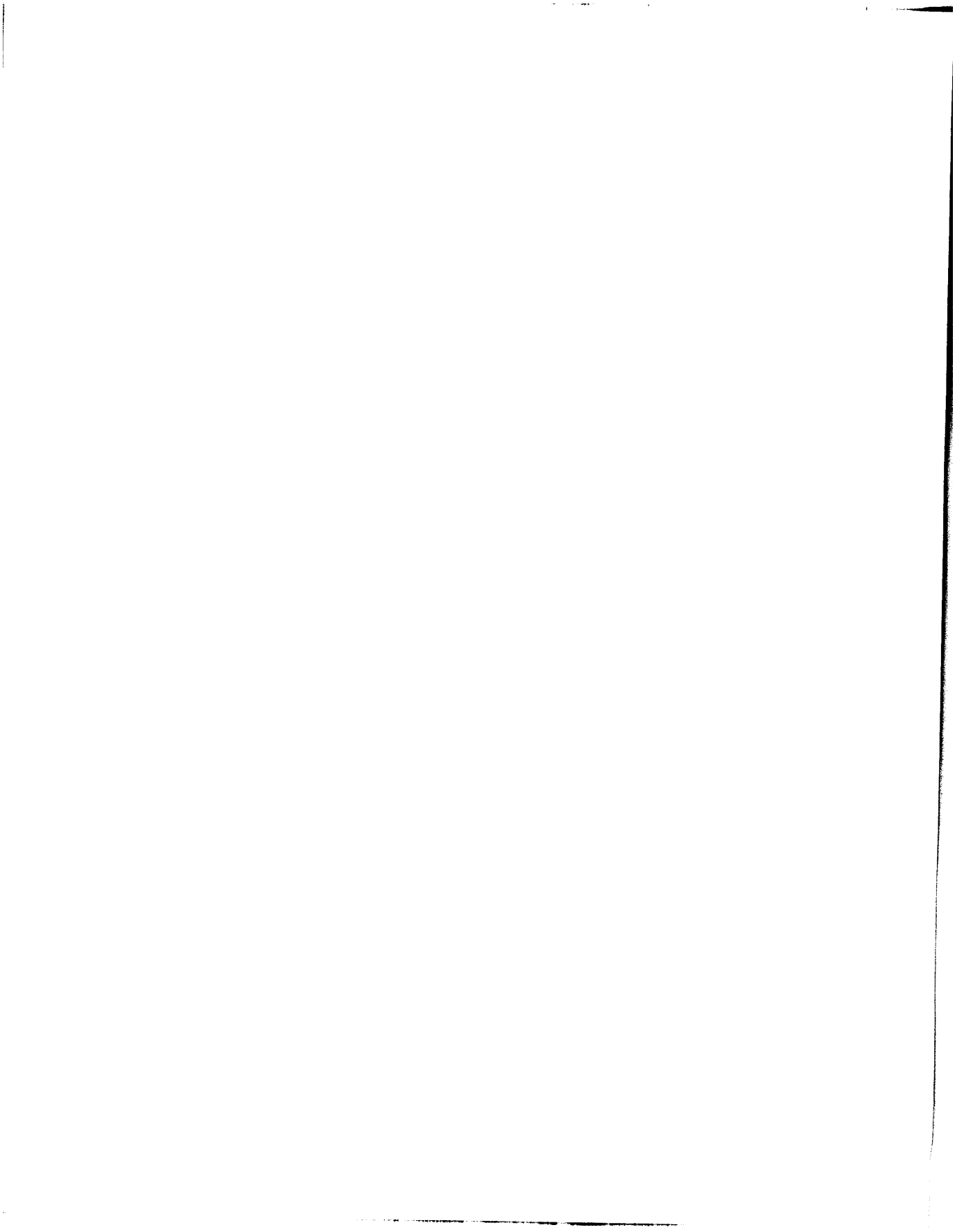
Jeanne Elias

Jeanne Elias
Rebecca M. Ellis
Assistant Attorneys General

APPROVED and SO ORDERED:

Date: _____

J. Garvan Murtha
Chief Judge



UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Green Mountain Railroad Corporation,
Plaintiff

v.

State of Vermont, Vermont Agency of
Natural Resources, and William H. Sorrell
as Attorney General of the State of
Vermont,
Defendants

Docket No. 1:01-cv-181

DISCOVERY CERTIFICATE

On the 29th day of March, 2002, I served Defendants' First Set of Requests
to Admit on plaintiff by mailing a copy, postage prepaid, to Robert B. Luce, Esq.,
Downs, Rachlin & Martin, P.O. Box 190, Burlington, VT 05402-0190.

Dated: March 29, 2002

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

by:



Rebecca M. Ellis
Assistant Attorney General
Federal ID #000525468

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

CERTIFICATE OF SERVICE

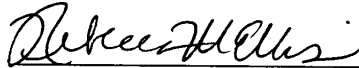
I certify that I have this day, April 15, 2002, served copies of the State of Vermont's April 15, 2002 letter to the Surface Transportation Board with attachments by first-class mail, postage prepaid, upon all the parties of record in this proceeding, and all persons, entities and government agencies listed below.

Dated: April 15, 2002

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

by:



Rebecca M. Ellis
Assistant Attorney General

Andrew P. Goldstein
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2175 K Street, N.W., Suite 600
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199 Main Street
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Agency Secretary
Agency of Transportation
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Rockingham Town Planning Commission
Don Cuming, Chair
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Bellows Falls, VT 05101

Rockingham Selectboard
Larmont Benett, Chair
P.O. Box 370
Bellows Falls, VT 05101

Andy Raubvogel
General Counsel
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Waterbury VT 05671-0301

John Hasen
General Counsel
Environmental Board
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Montpelier VT 05620-3201

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District Fisheries Biologist
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District Wildlife Biologist
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Saxtons River, VT 05154

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Waterbury VT 05676

Jon Groveman, Esq.
Vermont League of Cities and Towns
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