

February 19, 2020

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February 19, 2020  
Part of  
Public Record

**VIA ELECTRONIC FILING**

Ms. Cynthia Brown  
Secretary, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

|                                                                                                                                 |                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <br><b>GRANTED</b><br>Office of<br>Proceedings | DECISION ID NO. 50153                                                                                         |
|                                                                                                                                 | DECIDED DATE: 2-20-20                                                                                         |
|                                                                                                                                 | SERVED DATE: 2/21/2020                                                                                        |
|                                                                                                                                 | APPROVED:  Acting Director |

Re: Holland Park Owner, LLC—Petition for Declaratory Order, Finance Docket No. 36308

Dear Ms. Brown:

I am enclosing the Joint Motion of Holland Park Owner, LLC and Consolidated Rail Corporation to Dismiss the Petition for Declaratory Order in Surface Transportation Board Finance Docket No. 36308.

Please do not hesitate to contact me with any questions.

Sincerely,



Charles A. Spitulnik

Cc (w/attachments):

Jonathan Broder, Esq.  
Kevin Sheys, Esq.

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**FINANCE DOCKET NO. 36308**

**HOLLAND PARK OWNER, LLC --  
PETITION FOR A DECLARATORY ORDER**

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**JOINT MOTION OF HOLLAND PARK OWNER, LLC  
AND CONSOLIDATED RAIL CORPORATION  
TO DISMISS THE PETITION**

Communications with respect to this document  
should be addressed to:

Kevin M. Sheys  
Edward J. Fishman  
Hillary B. Neger  
Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street NW  
Washington, DC 20004  
(202) 637-5600

Jonathan M. Broder  
Jocelyn G. Hill  
Consolidated Rail Corporation  
1717 Arch Street  
Suite 1310  
Philadelphia, PA 19103  
(215) 209-5020

Counsel for Consolidated Rail Corporation

Dated: February 19, 2020

Charles A. Spitulnik  
T. Byron Smith  
Katherine C. Bourdon  
Kaplan Kirsch & Rockwell LLP  
1634 I Street NW, Suite 300  
Washington, DC 20006  
(202) 955-5600  
Email: [csputulnik@kaplankirsch.com](mailto:csputulnik@kaplankirsch.com)

Counsel for Holland Park Owner, LLC

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**FINANCE DOCKET NO. 36308**

**HOLLAND PARK OWNER, LLC - -  
PETITION FOR A DECLARATORY ORDER**

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**JOINT MOTION OF HOLLAND PARK OWNER, LLC  
AND CONSOLIDATED RAIL CORPORATION  
TO DISMISS THE PETITION**

Holland Park Owner, LLC and Consolidated Rail Corporation hereby jointly file this Motion for Dismissal, with prejudice, of the Petition for a Declaratory Order ("Petition") filed in this proceeding on May 29, 2019, with respect to the regulatory status of a putative segment of track located in Jersey City, New Jersey. The Parties' have engaged in settlement negotiations and reached a resolution of their dispute. No further action on the Petition from the Surface Transportation Board is necessary.

[SIGNATURES ON FOLLOWING PAGE]

Respectfully submitted,



Kevin M. Sheys  
Edward J. Fishman  
Hillary B. Neger  
Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street NW  
Washington, DC 20004

Jonathan M. Broder  
Jocelyn G. Hill  
Consolidated Rail Corporation  
1717 Arch Street  
Suite 1310  
Philadelphia, PA 19103

Counsel for Consolidated Rail Corporation

Dated: February 19, 2019



Charles A. Spitulnik  
T. Byron Smith  
Katherine C. Bourdon  
Kaplan Kirsch & Rockwell LLP  
1634 I Street NW, Suite 300  
Washington, DC 20006

Counsel for Holland Park Owner, LLC

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 19th day of February 2020, I caused a copy of the foregoing Motion to Dismiss to be served on all parties of record electronically or by first class mail, postage prepaid.

A handwritten signature in blue ink, appearing to read "Charles A. Spitulnik", is written over a horizontal line.

Charles A. Spitulnik