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April 30, 2021

By e-filing

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

Re: Docket No. NOR 42170, *Kingsbury Elevator, Inc. v. Grand Trunk Western Railroad Company*

Dear Ms. Brown:

Complainant in the above proceeding, Kingsbury Elevator, Inc. (KE), hereby respectfully requests leave to voluntarily dismiss its Complaint with prejudice.

The Complaint was filed on August 6, 2020. On October 26, 2020, Defendant, Grand Trunk Western Railroad Company (GTW), filed an Answer to the Complaint.

On December 21, 2020, KE and GTW filed a joint request for Board-sponsored mediation and to hold the proceeding in abeyance.

In a decision served January 4, 2021, the Board initiated mediation and held the proceeding in abeyance pending conclusion of mediation.

A Mediation Team consisting of Lead Commissioner Eileen Hoffman and Commissioner Tom Olson of the Federal Mediation and Conciliation Service (FMCS), and Board staff persons Valerie Quinn and Amy Ziehm, conducted hearings in the Mediation.

On April 29, 2021, KE and GTW signed a Confidential Settlement Agreement and General Release that resolves all disputes covered by the Complaint.

The Mediation Team was instrumental in achieving resolution of the Complaint. I speak for myself and GTW Attorney Rob Wimbish in expressing appreciation for the Mediation Teams' effectiveness and professionalism.

THOMAS F. McFARLAND, P.C.
April 30, 2021
Page 2

WHEREFORE, the Board should dismiss the Complaint with prejudice.

Respectfully submitted,

/s/ Thomas F. McFarland
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cc: Hon. Eileen Hoffman, *by e-mail to ebhoffman@fmcs.gov*
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