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Office of Proceedings
February 16, 2022
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February 16, 2022

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Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Docket No. FD 36408, *Lee Roy Haynes - Petition for Declaratory Order*

Dear Ms. Brown:

The purpose of this letter is to regretfully inform the Surface Transportation Board that Mr. Lee Roy Haynes, who commenced the referenced proceeding on May 22, 2020 to seek a ruling that his state tort law claims arising out of injuries he sustained in 2013 from being struck by a train operated by the Union Pacific Railroad Company ("UP") were not preempted, passed away on February 1, 2022.

This letter is to further inform the Board that the state court suit brought by Mr. Haynes against UP will continue to be pursued on behalf of his estate, and so the Board's issuance of a decision on the issues raised in the Petition is still necessary and required.

Please do not hesitate to call me if you have any questions. I certify that I have served this letter on all parties on the official service list for Docket No. FD 36408.

Sincerely,

Thomas W. Wilcox

Attorney for the Estate of Lee Roy Haynes