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February 18, 2022

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: Docket No. FD 36380
Atlas Land and Building Corporation and Atlas Materials Recycling
Corporation – Petition for Declaratory Order

Dear Ms. Brown:

Pursuant to a decision served in the referenced docket on August 17, 2020, the Board held this matter in abeyance pending judicial resolution of the parties' federal court property law dispute. Pursuant to Board order, the parties provided status reports on the court proceeding on February 17 and August 17, 2021, and indicated that they would provide the next status report no later than February 17, 2022.

Please be advised that while the federal court litigation remains pending, the parties are working diligently to finalize a written settlement agreement.

Based on this status, the parties respectfully request that the Board continue to hold this docket in abeyance, with a further status update to be provided by the parties within six months (no later than August 17, 2022). We will also provide the Board with a copy of any merits decision within ten days of its issuance by the court, as ordered in the August 17, 2020 decision.

Counsel for Atlas and counsel for CSX have consulted and concur in the contents of this status report.

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Please let me know if you have any questions.

Respectfully submitted,

Thomas J. Healey

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Attorney for Atlas Land and Building Corporation
and Atlas Materials Recycling Corporation

TJH/tjh

cc: Counsel of Record for CSX Transportation, Inc.