



Harter Secrest & Emery LLP
ATTORNEYS AND COUNSELORS
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Office of Proceedings
November 17, 2023
Part of
Public Record

November 17, 2023

VIA E-FILING

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

Re: Victor Insulators, Inc. v. Finger Lakes Railway Corp.
Surface Transportation Board Docket No. NOR 42176

Dear Ms. Brown:

Victor Insulators, Inc. ("Victor Insulators") filed an amended complaint against Finger Lakes Railway Corp. ("FGLK") and Ontario Central Railroad Corporation ("ONCT") on March 24, 2023 (the "Amended Complaint") in connection the above-captioned proceeding. On April 13, 2023, FGLK and ONCT filed a joint motion to dismiss the Amended Complaint (the "Motion to Dismiss"). On November 13, 2023, the Surface Transportation Board ("Board") served a decision regarding the Motion to Dismiss (the "Decision").

Counsel for Victor Insulators and counsel for FGLK and ONCT have conferred regarding the Board's Decision. In lieu of proceeding with mediation or establishing a proposed procedural schedule, Victor Insulators wishes to withdraw the Amended Complaint and discontinue further proceedings in front of the Board in connection with this matter. Counsel for FGLK and ONCT have indicated that they support this request.

As such, we respectfully request that the Amended Complaint be withdrawn and that no further filings be required from the parties on this matter. If you have any questions regarding this filing, please contact me.

Respectfully submitted,

Harter Secrest & Emery LLP

Allison E. Bartlett

DIRECT DIAL: 585.231.1302
EMAIL: ABARTLETT@HSELAW.COM

cc: Justin J. Marks, *counsel for FGLK and ONCT* (jmarks@clarkhill.com)
Eric Hocky, *counsel for FGLK and ONCT* (ehocky@clarkhill.com)
Douglas A. Fisher (dglsfshr@gmail.com)
George Heltz (heltzgeorge@gmail.com)

CERTIFICATE OF SERVICE

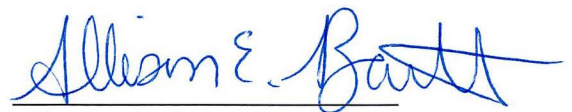
I hereby certify that I have this 17th day of November, 2023, caused copies of the foregoing letter to be served by email as follows:

Justin J. Marks
CLARK HILL PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
jmarks@clarkhill.com
Counsel for FGLK and ONCT

Eric Hocky
CLARK HILL PLC
2001 Market Street, Suite 2620
Philadelphia, PA 19103
ehocky@clarkhill.com
Counsel for FGLK and ONCT

Douglas A. Fisher
P.O. Box 30592
Rochester, NY 14603
dglsfshr@gmail.com

George Heltz
6966 Morgan Circle
Victor, NY 14564
heltzgeorge@gmail.com



Allison E. Bartlett
Harter Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester, NY 14604
(585) 231-1302
abartlett@hselaw.com