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BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
February 10, 2025
Part of
Public Record

Docket No. AB 580 (Sub-No. 1X)

Knoxville & Holston River Railroad Co., Inc., a wholly owned subsidiary of Gulf & Ohio
Railways, Inc.—Abandonment Exemption—in Knox County, Tenn

NOTICE OF INTENT TO FILE OFFER OF FINANCIAL ASSISTANCE
(PURCHASE)

HAYDUK INTERNATIONAL, LLC
102 ANSLEY COURT
GREER, SOUTH CAROLINA 29650

Offeror

MICHAEL J. HAYDUK
(864) 607-8163
MasterSergeantHayduk@gmail.com
Managing Member

Date: February 10, 2025

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(PURCHASE)

Pursuant to 49 CFR §1152.27(c)(1)(i) and (ii), HAYDUK INTERNATIONAL, LLC hereby provides Notice of its intent to file an Offer of Financial Assistance ("OFA") to purchase the rail line proposed for abandonment by Knoxville & Holston River Railroad Co., Inc., a wholly owned subsidiary of Gulf & Ohio Railways, Inc. herein "KXHR", and demonstrates its preliminary financial responsibility to fund such a purchase.

IDENTITY AND INTEREST OF HAYDUK INTERNATIONAL, LLC

Hayduk International, LLC is a South Carolina Limited Liability company that is closely held by Michael J. Hayduk, a United States Citizen residing in Old Fort, North Carolina who acts as its sole member. Hayduk International, LLC has been in existence for over two decades owning, leasing and operating aircraft and conducting international consulting, transportation, intelligence and security operations. Hayduk International, LLC has been acquiring rail equipment, currently owns multiple locomotives and railcars and is interested in expanding into new markets as a common carrier and has a legitimate interest in the rail line.

PRELIMINARY FINANCIAL RESPONSIBILITY AMOUNT

It is provided in 49 CFR §1152.27 (c) (1) (1) (ii) that an offeror submitting an expression of intent to file an OFA must demonstrate that it is financially responsible, under the definition set

forth in 49 CFR § 1152.27(c) (1)(iv)(B), for the calculated preliminary financial responsibility amount ("PFRA"). An offeror is financially responsible if the offeror "has or within a reasonable time will have the financial resources to fulfill its proposed contractual obligations."

PFRA is calculated as follows:

(1) \$89.04 per ton (national average as of February 8, 2025 according to iscrapapp.com)

times 132 tons per mile times 3.8 miles = \$44,662.46

(2) \$4,000 per mile time 3.8 miles times 2 = \$30,400.00

(3) TOTAL \$75,062.46

HAYDUK INTERNATIONAL, LLC'S ABILITY TO PAY THE PFRA

Attached to this pleading as Exhibits A & B (Marked Confidential), is a copy of the most recent brokerage statement for the Michael J. Hayduk Irrevocable Trust and Hayduk International, LLC. This trust is established by and to support Michael J. Hayduk and his closely held business ventures and would provide additional financial support for this acquisition.

MOTION FOR LEAVE TO FILE NOTICE LATE

Hayduk International, LLC respectfully asks that the board grant leave to file this notice late. In support Hayduk International, LLC asserts that continued common carrier railroad use, should this OFA be consummated, is in the public interest and that this late filing would not prejudice any other party at this stage in the proceeding. Because there is no practical impact on any other party, and there is significant potential public benefit movant believes that granting of leave is proper. Hayduk International, LLC further notes that it believes KXHR did not comply with the CFR as no subsidy or price as required by 49 CFR 1152.27(c)(1)(i) was included in the notice published in Knox County, Tennessee. An estimated minimum purchase price required by the

CFR to keep the line or a portion of the line in operation would have assisted Hayduk International, LLC in making a decision to file this Notice of Intent.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, Hayduk International, LLC respectfully requests that it be found to be financially responsible on a preliminary basis to purchase the rail line, that the board allow leave to file late or in the alternative, this OFA be treated as a reply in opposition to abandonment.

HAYDUK INTERNATIONAL, LLC



By: MICHAEL J. HAYDUK
Managing Member
102 Ansley Court
Greer, South Carolina 29650

Dated: February 10, 2025

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2025, I served the foregoing document, Notice of Intent to File an Offer of Financial Assistance, Demonstration of Preliminary Financial Responsibility and Motion for Leave to File Late on Parties of Record (Per STB Service List):

KXHR Counsel of Record

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City of Knoxville

Ms. Indya Kincannon
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VIA EMAIL ONLY: dbrace@knoxvilletn.gov



MICHAEL J. HAYDUK

CONFIDENTIAL

EXHIBIT A

Brokerage statement for the Michael J. Hayduk Irrevocable Trust

NOT FOR PUBLIC DISTRIBUTION

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EXHIBIT B

Brokerage statement for Hayduk International, LLC

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