

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

312454

ENTERED
Office of Chief Counsel
September 25, 2026
Part of
Public Record

WESKAN GRAIN LLC	)	
	)	
Complainant,	)	
	)	
vs.	)	Docket No. NOR 42185
	)	
KANSAS & OKLAHOMA RAILROAD, L.L.C.	)	
	)	
Defendant	)	
	)	

JOINT MOTION TO HOLD PROCEEDING IN ABEYANCE

Complainant Weskan Grain LLC (“Weskan”) and Defendant Kansas & Oklahoma Railroad, LLC (“K&O”) (collectively the “Parties”) jointly submit this motion to hold the above-referenced proceeding in abeyance, and in support hereof state as follows:

Weskan filed its Complaint in this proceeding on August 21, 2026. K&O filed its Answer on September 9, 2026. The Parties have been engaged in discovery. The Parties jointly inform the Board that they have agreed in principle to settlement terms that, once reduced to a formal agreement, would, in critical part, call for Weskan to seek dismissal of the Complaint. Final resolution of the dispute is contingent upon the Parties’ development and execution of that formal agreement.

Given the Parties’ agreement in principle, they jointly request that the Board enter an order holding further action in this docket in abeyance for 60 days pending finalization of formal settlement terms. Granting the Parties’ request will facilitate a privately

negotiated resolution of the issues presented by the Complaint, conserve agency resources, and not prejudice any party.

Respectfully submitted,

/ss/ Thomas W. Wilcox

Thomas W. Wilcox

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Attorney for Defendant Kansas & Oklahoma Railroad, L.L.C.

Dated: September 25, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of September, 2026, a copy of the foregoing Motion was served by electronic mail on representatives of Kansas & Oklahoma Railroad, L.L.C.

/ss/ Thomas W. Wilcox
Thomas W. Wilcox