

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1666
CHICAGO, ILLINOIS 60604-1228
TELEPHONE (312) 236-0204
mcfarland@aol.com

247088

THOMAS F. MCFARLAND

February 11, 2019

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Office of Proceedings
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By e-filing

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

Re: STB Docket No. NOR 42160, *Denver Rock Island Railroad Company v. The City and County of Denver, Colorado*

Dear Ms. Brown:

In accordance with the Board's decision in the above Docket served on January 30, 2019, Complainant Denver Rock Island Railroad Company (DRIR) and Defendant the City and County of Denver, Colorado (CCD) have conferred in regard to procedural handling of the above proceeding.

As a result of that Conference, DRIR has agreed to withdraw its Complaint without prejudice, and CCD has agreed to support that action.

Accordingly, DRIR hereby respectfully seeks leave to voluntarily withdraw its Complaint without prejudice. CCD hereby supports a grant of that leave.

Respectfully submitted,

AGREED:

Thomas F. McFarland

Thomas F. McFarland
*Attorney for Denver Rock
Island Railroad Company*

Allison I. Fultz

Allison I. Fultz
*Attorney for the City and County
of Denver, Colorado*

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THOMAS F. MCFARLAND

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By e-mail to the following:

cc: William Schell, Esq., bill@oppermanlawfirm.com
William Mullins, Esq., wmullins@bakerandmiller.com
Charles A. Spitulnik, Esq., cpitulnik@kaplankirsch.com
Matthew Mulbarger, Esq., matthew.mulbarger@denvergov.org
Jennifer Welborn, Esq., jennifer.welborn@denvergov.org
Joshua L. Roberts, Esq., joshua.roberts@denvergov.org