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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
August 10, 2017
Part of
Public Record

STB Docket FD 35981

PETITION FOR DECLARATORY ORDER – FINCH PAPER LLC

STATUS REPORT

In accordance with the Decision served in this docket by the Director of the Office of Proceedings on July 14, 2017, Finch Paper LLC (“Finch”) and Delaware and Hudson Railway Company *d/b/a* Canadian Pacific (“CP”) hereby jointly submit this report on the status of their settlement discussions. The parties have executed a Settlement Agreement and Release that resolves all of the issues in dispute and, accordingly, will result in (1) Finch seeking dismissal of its Petition for Declaratory Order with CP’s concurrence in the near future, and (2) the parties subsequently seeking to dismiss their respective claims in the pending federal district court litigation.

Respectfully submitted,

DELAWARE and HUDSON RAILWAY
COMPANY *d/b/a* Canadian Pacific

FINCH PAPER LLC

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August 10, 2017

CERTIFICATE OF SERVICE

I do hereby certify that on this 10th day of August 2017, I have served a copy of the foregoing Status Report by first class mail to:

The Honorable Peter H. Young
Federal Energy Regulatory Commission
888 First Street, NE
Suite 11F
Washington, DC 20426

/s/ Thomas W. Wilcox
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