

242311

MAYER • BROWN

ENTERED
Office of Proceedings
December 21, 2016
Part of
Public Record

Mayer Brown LLP
1999 K Street, N.W.
Washington, D.C. 20006-1101

Main Tel +1 202 263 3000
Main Fax +1 202 263 3300
www.mayerbrown.com

December 21, 2016

VIA E-FILING

Rachel D. Campbell
Director, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Robert M. Jenkins, III
Direct Tel +1 202 263 3261
Direct Fax +1 202 263 5261
rmjenkins@mayerbrown.com

Re: AB 167 (Sub-No. 1189X) and associated dockets:
Consolidated Rail Corporation—Abandonment
Exemption—in Hudson County, New Jersey

Dear Ms. Campbell:

I write as counsel to Consolidated Rail Corporation (“Conrail”) concerning a motion to dismiss filed by James Riffin on December 20, 2016. Conrail does not intend to respond substantively to Riffin’s improper, frivolous, and vexatious motion, unless the Board requests such a response. Riffin has been dismissed from this proceeding, his past pleadings are to be stricken, and he has been barred from filing further pleadings. Accordingly, his motion is void.

Conrail’s decision not to respond further to Riffin’s improper submission should not be construed as reflecting any agreement with Riffin’s contentions, or waiving Conrail’s right to file a full reply if the Board so requests.

Sincerely,

Robert M. Jenkins III/acs

Robert M. Jenkins, III

cc: Service List