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April 25, 2019
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Public Record

Docket No. NOR 42159

Plaintiffs Central Valley Ag Grinding, Inc. and Central Valley Ag

Transport, Inc. (individually and collectively, “CVAG”) and Defendant Modesto and Empire Traction Company (“MET”) (collectively the “Parties”), with the assistance of Board-sponsored mediation, have been able to negotiate, and recently to execute, a settlement agreement resolving their differences triggering CVAG’s Complaint in this proceeding, as well as those underlying the related state court contract litigation. The Parties’ settlement agreement renders the issues in this proceeding moot at this time, and accordingly, the Parties jointly request that the Board dismiss this proceeding in its entirety without prejudice.

Respectfully submitted,

CENTRAL VALLEY AG GRINDING
INC. AND CENTRAL VALLEY AG
TRANSPORT, INC.

/s/ Peter A. Pfohl
Robert D. Rosenberg
Frank J. Pergolizzi
Katherine F. Waring
Slover & Loftus LLP
1224 Seventeenth St., N.W.
Washington, D.C. 20036
*Attorneys for Complainant
Central Valley Ag Grinding, Inc. and
Central Valley Ag Transport Inc.*

MODESTO AND EMPIRE TRACTION
COMPANY

/s/ Robert A. Wimbish
James D. Helenhouse
Audrey L. Brodrick
Brandon J. Smith
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 800
Chicago, IL 60606-2832
*Counsel for Defendant
Modesto and Empire Traction Company*

Dated: April 25, 2019

CERTIFICATE OF SERVICE

I hereby certify that I have this 25th day of April 2019, caused a copy of the foregoing filing to be served by U.S. Mail, postage prepaid or by more expedited means upon all parties of record.

/s/ Katherine F. Waring
An Attorney for Complainants