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EXPEDITED CONSIDERATION REQUESTED

BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
April 25, 2014
Part of
Public Record

JGB PROPERTIES, LLC – PETITION FOR
DECLARATORY ORDER – WOODARD
INDUSTRIAL RAILROAD OPERATIONS

STB Finance Docket No. 35817

MOTION FOR EXTENSION OF TIME

 GRANTED Office of Proceedings	DECISION ID NO.: <u>43774</u>
	DECIDED DATE: <u>4/28/14</u>
	SERVICE DATE: <u>4/28/14</u>
	APPROVED: <u>Rachel D Campbell</u> Director
☐	

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April 25, 2014

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35817

Pursuant to 49 CFR § 1117.1, Ironwood, LLC (“Ironwood”) and Steelway Realty Corporation (“Steelway”) hereby request that the Surface Transportation Board (“Board”) extend, by thirty (30) days, the time allotted for replies to the Petition for Declaratory Order (“Petition”) filed by JGB Properties, LLC (“JGB”) in the above-captioned docket. Counsel for Ironwood and Steelway have consulted with counsel for JGB regarding the extension sought herein, and counsel for JGB has stated that JGB will not oppose the request. As described below, Ironwood and Steelway respectfully request expedited consideration of this Motion for Extension of Time (“Motion”).

JGB filed its comprehensive Petition with the Board on April 9, 2014 and served interested parties by first class mail. New York counsel for Ironwood and Steelway did not receive a copy or have knowledge of the Petition until April 10, 2014. Under the Board's rules, replies to the Petition would ordinarily be due in twenty (20) days, or April 30, 2014. *See* 49 C.F.R. § 1104.13(a). After becoming aware of the Petition, New York counsel for Ironwood and Steelway desired to identify transportation counsel who could assist with responding to the Petition, and such transportation counsel was engaged only a few days ago. Thus, counsel for Ironwood and Steelway requires additional time to review and assist in preparing a response to

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the 193-page Petition. Further, the 20-day period for filing replies encompassed a holiday which further limited the ability of transportation counsel to be engaged expeditiously.

As made clear in the Petition, JGB, Ironwood, Steelway, among other parties have been involved in litigation in New York State courts for several years, and it is possible that these other parties will also want to respond to the Petition. In order to allow for an informed response to the Petition and assist the Board in its review, Ironwood and Steelway respectfully request that the Board extend the due date for replies to the Petition to May 30, 2014. Given JGB's lack of opposition to this extension, no party will be prejudiced by the Board's decision to grant this motion.

In light of the looming April 30th due date under the Board's normal rules, Ironwood and Steelway respectfully request that the Board expeditiously act upon this Motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karyn A. Booth", written over a horizontal line.

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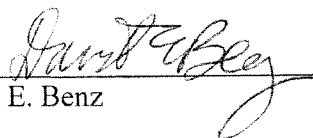
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April 2014, I served a copy of the foregoing upon counsel for the parties listed below by U.S. first-class mail, postage prepaid. Additionally, counsel for Petitioner JGB was served via electronic mail.

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