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SERVICE DATE – JUNE 25, 2010

SURFACE TRANSPORTATION BOARD

NOTICE

Docket No. FD 35312

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – ACQUISITION
EXEMPTION – CERTAIN ASSETS OF CSX TRANSPORTATION, INC.

The following court action was instituted, on or about June 18, 2010, in the United States Court of Appeals for the District of Columbia Circuit, seeking judicial review of the Board's decision in the above-titled proceeding:

No. 10-1138

Brotherhood of Railroad Signalmen; Brotherhood of Maintenance of Way Employees
Division/IBT; American Train Dispatchers Association

v.

Surface Transportation Board and United States of America

Rachel D. Campbell
Director of Proceedings