

**Before the
Surface Transportation Board**

ENTERED
Office of Proceedings
October 22, 2019
Part of
Public Record

Docket No. NOR 42162

**THE DENVER ROCK ISLAND RAILROAD COMPANY
v.
THE CITY AND COUNTY OF DENVER**

**MOTION OF
THE DENVER ROCK ISLAND RAILROAD COMPANY
TO DISMISS THE COMPLAINT WITH PREJUDICE**

Dated: October 22, 2019

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Attention: Thomas F. McFarland

Counsel for Denver Rock Island Railroad

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Complainant the Denver Rock Island Railroad Company, a Class III short line rail carrier (“DRIR”) moves to dismiss, with prejudice, its Complaint in this proceeding.

DRIR filed the above-captioned Complaint on February 4, 2019. DRIR and the City and County of Denver, a political subdivision of the State of Colorado, have reached a settlement agreement that disposes of the areas of controversy that were the subject of DRIR’s Complaint. As part of the settlement, DRIR agrees to dismiss its Complaint.

WHEREFORE, DRIR respectfully moves the STB to dismiss the Complaint, with prejudice.

Respectfully submitted,



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Attention: Thomas F. McFarland

Counsel for Denver Rock Island Railroad

Dated: October 22, 2019

Certificate of Service

I hereby certify that I have this day caused a copy of the foregoing Motion to Dismiss of the Denver Rock Island Railroad Company to be served by first class mail, properly addressed and with postage prepaid, upon the following:

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Dated: October 22, 2019