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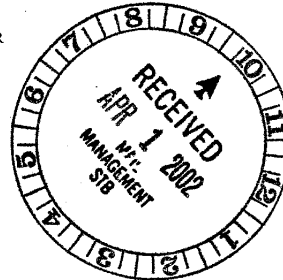
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March 29, 2002

VIA FEDERAL EXPRESS

Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-00001

RE: *Capitol Materials Incorporated/Petition for Declaratory Order/Certain Rates and Practices of Norfolk Southern Railway Company*
STB Docket No. 42068

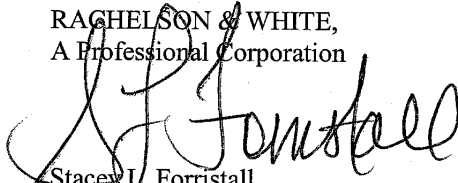
Ladies and Gentlemen:

Enclosed herewith is an original and 11 copies of Capitol Materials' Petition, the Statements of Jeff Traicoff and Tom Mueller and accompanying exhibits in connection with the above-referenced matter. Please file this document in accordance with the procedures of your office and return a copy marked "filed of record" in the enclosed envelope provided for your convenience.

If you have any questions or need further information, please give our office a call.

Sincerely,

RACHELSON & WHITE,
A Professional Corporation


Stacey L. Forristall
Legal Assistant

/slf

cc: Capitol Materials Incorporated
Bruce E. Mitchell, Esq.
Richard A. Allen, Esq.
George A. Aspatore, Esq.

Enclosures

ENTERED
Office of the Secretary

APR 02 2002

Part of
Public Record

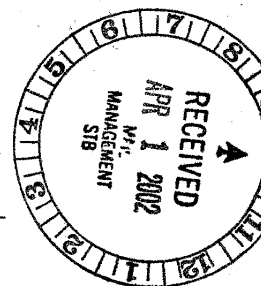
205098

ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB DOCKET NO.: 42068

CAPITOL MATERIALS INCORPORATED-PETITION FOR
DECLARATORY ORDER-CERTAIN RATES OF PRACTICES OF
NORFOLK SOUTHERN RAILWAY COMPANY



OPENING STATEMENT OF CAPITOL MATERIALS, INCORPORATED

COMES NOW, Capitol Materials, Incorporated ("Capitol"), Petitioner herein and files this its Opening Statement pursuant to Order of the Surface Transportation Board entered January 16, 2002, as supplemented, and as and for such Opening Statement, respectfully states as follows:

As the Board is aware, there are several motions involving discovery issues pending in this proceeding, including Capitol's Motion to Compel Discovery and Norfolk Southern Railway Company's Motion for Protective Order. Capitol's Petition is thus presented without the benefit of those documents which Capitol had requested from Norfolk Southern Railway Company and which are the subject of these Motions. As a result, Capitol reserves the right to supplement this Petition pending the outcome of these Motions and the production of responsive documents by Capitol.

I.

This proceeding was initiated by the petition of Capitol, filed on October 12, 2001, for a Declaratory Order to resolve a dispute over demurrage charges assessed by Norfolk Southern Railway Company (NS) on shipments of wallboard consigned to Capitol's facilities in Atlanta and Duluth, Georgia.

ENTERED
Office of the Secretary
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Part of
Public Record

This matter is on referral from the Superior Court of Fulton County, Atlanta Judicial Circuit, in Norfolk Southern Railway Company v. Capitol Materials, Inc., Civil Action file no.: 2000-CV-25039. The State Court proceeding was initiated by NS for collection of \$216,930.00 in demurrage charges accruing during the period of June, 1997 through February, 2001. Capitol filed a motion to stay the Superior Court proceedings and refer the following issues to the Surface Transportation Board (the "Board") for determination:

- (1) Whether NS's demurrage rate as contained in its applicable tariff is unreasonable;
- (2) Whether the method by which NS calculates the demurrage charges is unreasonable; and
- (3) Whether NS's practice of assessing demurrage charges in the circumstances here present represents an unreasonable practice.

II.

Plaintiff Norfolk Southern filed the State Court action on or about July 3, 2000 seeking to collect demurrage charges in the amount of \$58,840.00, which allegedly accrued between June, 1997 and September, 1998. Capitol filed its Answer with the Court on September 5, 2000 denying liability for any demurrage charges. Capitol included a Counterclaim for damage to its business. Norfolk Southern filed an Amended Complaint in May of 2001 including additional proposed demurrage charges for the period of September, 1998 through February of 2001, bringing the total amount sought by NS to \$216,930.00.

Capitol is engaged in business in the Metropolitan Atlanta Area as a supplier of gypsum drywall and related materials to the construction industry. Capitol maintains two facilities: one in downtown Atlanta and one in the suburb of Duluth for which rail service is supplied by NS. Capitol relies upon rail service to supply most of the gypsum drywall and materials that is sold to its customers. NS is the only rail carrier available to Capitol at the facilities located in downtown Atlanta and Duluth. (See Verified Statements of Jeff Traicoff and Tom Mueller).

The sole basis for NS's Complaint in the State Court was to collect demurrage charges from Capitol which allegedly accrued between June of 1997 and February of 2001. Capitol requests that the Surface Transportation Board make a determination regarding the reasonableness of NS's demurrage charges, specifically: (a) whether NS' demurrage rate as contained in its applicable tariff is unreasonable; (b) whether the method by which NS calculates the demurrage charge is unreasonable; and (c) whether the practice of NS in assessing the demurrage rate in the circumstances that are presented by Capitol represent an unreasonable rate practice.

49 U.S.C. § 10501(b) provides that the Surface Transportation Board has exclusive jurisdiction over "(1) transportation by rail carriers, and the remedies provided in this part with respect to rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, services, and facilities of such carriers". See also, 49 U.S.C. § 10702. In addition, 5 U.S.C. § 554(e) states that the Surface Transportation Board has discretionary authority to issue a declaratory order to terminate a controversy or remove uncertainty.

Capitol maintains that the assessment of demurrage is unreasonable based on the factual circumstances of this case, including but not limited to the following:

- (1) Norfolk Southern's failure to follow placement instructions it received from Capitol;
 - (2) holding of rail cars in constructive placement rather than spotting the rail cars promptly at Capitol's place of business;
 - (3) failure to maintain consistent switching times for the subject rail cars;
 - (4) failure to timely remove released rail cars from Capitol yards;
 - (5) failure to deliver rail cars to Capitol in compliance with Capitol's standing orders with Norfolk Southern;
 - (6) unilaterally and arbitrarily observing a single switching time per day;
 - (7) unilaterally and arbitrarily limiting service to specified days of the week; and
 - (8) delaying rail cars in transit, thereby contributing to "bunching" of rail cars.
- (See generally the details set forth in the Verified Statements of Jeff Traicoff and Tom Mueller regarding NS's service and rate practices).

The assessment of any charge for demurrage in these circumstances represents an unreasonable rate practice. The tariff in which such a rate is contained should in these circumstances be found void, inapplicable or unreasonable as it has been applied by NS against Capitol.

III.

Railroads operating in interstate commerce are subject to regulation by the federal government through the Board. 49 U.S.C. §§ 10101, et seq. Among the enumerated policies of the federal government in regulating the railroad industry is to ensure the

development of an "efficient rail transportation system" that meets "the needs of the public and the national defense," and "to maintain reasonable rates where there is an absence of effective competition." 49 U.S.C. § 10101. In so regulating the railroad industry, Congress has decreed that railroads shall provide their customers with reasonable, proper, and equal facilities sufficient to the customers' needs. 49 U.S.C. § 10742.

The concept of demurrage is part and parcel of the national policy behind the regulation of railroads. Demurrage and demurrage charges have been discussed and defined in numerous ways by different courts and regulatory agencies, but all agree that demurrage exists to promote efficient use of the limited number of available railroad cars by deterring undue delays, thereby serving both national defense and public needs. *See, e.g.,* 49 U.S.C. 10746; CSX Transportation, Inc. v. City of Pensacola, Fla., 936 F.Supp. 880, 883 (N.D. Fla. 1995), reconsideration denied, 936 F.Supp. 885 (N.D. Fla. 1995).

It is for this reason that demurrage exists both with and apart from usual railroad rates. Demurrage charges are in part compensation and in part penalty, and "in full character they are neither but are *sui generis*." Iversen v. U.S., 63 F.Supp. 1001, 1005 (D.D.C. 1946), *aff'd* 327 U.S. 767, 66 S.Ct. 825, 90 L.Ed. 998 (1946). The penalty aspect of demurrage does not have the objective of compensating railroads for costs of delay, but, rather, demurrage charges are intended as a deterrent to prevent the detention of a rail car for an unwarranted period of time. Atchison, Topeka and Santa Fe Ry. Co. v. I.C.C., 687 F.2d 912, 918 (7th Cir. 1982). In order to be considered valid, tariffs and regulations imposing liability for demurrage must be reasonable with respect to both the

free time allowed and to the amount of the charge. Turner, Dennis & Lowry Lumber Co. v. Chicago, M. & St. P. Ry. Co., 271 U.S. 259, 263, 46 S.Ct. 530, 70 L.Ed. 934 (1926).

When the facts establish that the actual cause of undue delay or detention of the railroad car that may give rise to a claim for demurrage is attributable to the practices of the railroad and not the carrier or the consignee, demurrage is denied. *See, e.g., Illinois Cent. Gulf R. Co. v. Southern Rock, Inc.*, 644 F.2d 1138 (5th Cir. 1981); St. Louis, Southwestern Ry. Co. v. Mays, 177 F.Supp. 182 (E.D. Ark. 1959); Southern Ry. Co. v. Aluminum Co. of America, 119 F.Supp. 389 (E.D. TN 1951), *aff'd* 210 F.2d 139 (6th Cir. 1954); United States Fidelity & Guaranty Co. v. Central of Georgia Ry. Co., 226 Ala. 606, 147 So. 891 (1933); Seaboard Air Line Ry. Co. v. Daugherty-McKey & Co., 40 Ga.App. 190, 149 S.E. 92 (1929); Garrison Coal Co. v. Hines, 118 Okla. 251, 247 P. 62 (1925).

A railroad's right to draft its tariffs is limited. A railroad may not avoid statutory and common law rules that govern the rights of the parties thereby in effect "legislating" by means of drafting a tariff. Indiana Harbor Belt R. Co. v. Jacob Stern & Sons, 37 F.Supp. 690, 692 (N.D. Ill. 1941). This principal when applied to the issue of the imposition of demurrage charges means that demurrage should be assessed only for the purpose of keeping limited assets in circulation and not sitting unused on a side track. Certainly, demurrage should not be assessed as a result of the tariff when possession of the rail car is not timely transferred from the receiver or consignee for causes that are beyond their control or where the receiver or consignee is performing reasonably under the circumstances and is not at fault.

NS's unreasonable practice of assessing demurrage charges upon Capitol as demonstrated by this Petition and the accompanying Statements of Capitol's representatives, should be disallowed. See, St. Louis, Southwestern Ry. Co. v. Mays, 177 F.Supp. 182, at 184 (E.D.Ark. 1959) (Holding that in order for liability for demurrage to exist, the failure to load or unload the cars within the free time must be the fault of the shipper or consignee, and, conversely, that demurrage cannot be charged where such failure was due to the fault of the carrier); Southern Ry. Co. v. Aluminum Co. of America, 119 F.Supp. 389 at 396 (E.D. Tenn. 1951) (Holding that no demurrage can be exacted by a carrier unless the delay in loading is clearly attributable to the fault of shipper or consignee). It is NS that is at fault. Capitol has shown that it was able to unload and release the subject rail cars within the subject two (2) following their constructive placement. is not the fault of Capitol, but rather the result of the inability and/or unwillingness of NS to provide sufficient service to Capitol.

In this matter, it is NS's practices that resulted in Capitol exceeding the time allowed by NS's tariff for the transfer or control of the rail cars following constructive placement. It would be unconscionable to allow NS to collect and benefit from demurrage charges arising from its tariff when Capitol was not at fault and NS breached its duty to Capitol to provide rail cars to its facilities effectively and in a timely manner. NS cannot avoid the duty to Capitol and its responsibility to the public by means of its privately drafted tariff.

It has been recognized that demurrage charges are properly denied where it is shown that the reason for the delay was the railroad's failure to switch the subject rail

cars in accordance with their normal procedures and the consignee shows that during the ordinary and usual switching time available at the consignee's facilities that:

- (a) There was sufficient capacity on consignee's siding for additional cars;
- (b) Consignee had actual ability to have unloaded the additional cars had they been placed on its siding;
- (c) And railroad failed to place efficient cars on consignee's siding, even though other cars were being held on constructive placement and were available for unloading.

As this Board is aware, NS has failed to provide the documents responsive to Capitol's Request for Production of Documents. Instead, NS has provided a number of documents that do not relate to the specific issues that are to be determined by this Board. Upon receipt of the subject documents, Capitol will supplement its factual statement. The Affidavits of the representatives of Capitol together with the documents that will be produced as well as the documents that Capitol has available to it at this time support:

- (1) Norfolk Southern's failure to follow placement instructions it received from Capitol;
- (2) holding of rail cars in constructive placement rather than spotting the rail cars promptly at Capitol's place of business;
- (3) failure to maintain consistent switching times for the subject rail cars;
- (4) failure to timely remove released rail cars from Capitol yards;
- (5) failure to deliver rail cars to Capitol in compliance with Capitol's standing orders with Norfolk Southern;
- (6) unilaterally and arbitrarily observing a single switching time per day;

- (7) unilaterally and arbitrarily limiting service to specified days of the week;
- and
- (8) delaying rail cars in transit, thereby contributing to "bunching" of rail cars

The documents that have been requested from NS will provide additional evidence of NS's failure to follow placement instructions it received from Capitol; the holding of rail cars in constructive placement rather than spotting the rail cars promptly at Capitol's place of business; and failure to maintain consistent switching times for the subject rail cars.

Capitol Exhibits 1 – 7 analyze in detail NS's failure to timely remove rail cars that had been released for pick up by Capitol. The adverse affect of NS's failure to provide more than one switch per day is demonstrated in these analyses. Capitol's Exhibits 5, 6 and 7, clearly establish that NS unilaterally and arbitrarily limited service to specified days of the week notwithstanding the needs of Capitol and NS's duty to provide an efficient rail system that meets the needs of the public.

The details respecting the bunching that occurred as a result of the inefficient practices employed by NS will be more clearly shown following receipt of the documents that have been requested by NS. Additionally, the domino effect caused by repeated instances of bunching are demonstrated in the Statement of Capitol's representatives.

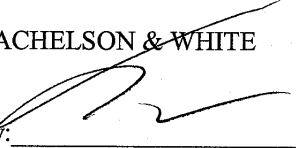
The assessment of demurrage based upon the tariff of NS is unreasonable as a matter of law. The tariff does not provide for circumstances where demurrage will not be assessed if a delay results from events and conduct attributable to NS. There is no contention that Capitol has failed in any respect to operate its business improperly. Simply, NS wants to be paid demurrage charges that are unreasonable because NS's own

action created the alleged delays giving rise to the circumstances under which demurrage could be charged.

The claim of NS is patently unfair. The claim offends traditional standards of American jurisprudence for the establishment of damages for breach of contract. NS owed a duty to Capitol to provide efficient and timely service. NS's breach of duty to failure to provide this statutorily should not be allowed to support its claim for demurrage. A tariff cannot alter customary standards for interpreting agreements between parties. Capitol requests that the tariff of NS be found to be unreasonable and void as it is applied to Capitol.

Respectfully submitted,

RACHELSON & WHITE

By: 

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Counsel for Petitioner

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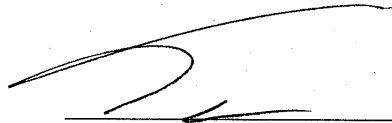
CERTIFICATE OF SERVICE

This is to certify that I have on this day served copies of the foregoing upon the following individuals by mailing copies of the same via first class mail U.S. Mail in properly addressed envelopes with sufficient postage addressed to:

Richard A. Allen, Esq.
Zuckert, Scoutt & Rasenberger, LLP
888 Seventeenth Street, NW
Suite 600
Washington, D.C. 20006

George A. Aspatore, Esq.
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

This 29th day of March, 2002.



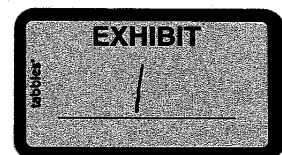
Ira L. Rachelson
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Attorney for Petitioner

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Suite 425
Atlanta, Georgia 30342
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CAPITOL MATERIALS, INC.
464 BISHOP STREET, N.W.
ATLANTA, GA

1997 ATLANTA ANALYSES

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
30-May	0	3	0
JUNE			
2-Jun	0	3	0
3-Jun	3	0	2
4-Jun	4	3	3
5-Jun	3	3	3
6-Jun	3	3	3
9-Jun	3	1	3
10-Jun	2	2	2
11-Jun	3	1	3
12-Jun	3	2	3
13-Jun	1	0	2
16-Jun	2	0	2
18-Jun	2	2	3
20-Jun	3	0	3
26-Jun	1	0	1
28-Jun	0	1	0



CAPITOL MATERIALS, INC.
464 BISHOP STREET, N.W.
ATLANTA, GA

1998 ATLANTA ANALYSES

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
30-Apr	0	2	0
MAY			
4-May	2	4	2
5-May	2	1	2
6-May	2	0	0
8-May	0	0	2
11-May	1	1	1
12-May	1	3	0
13-May	2	2	0
14-May	1	0	4
✓ 18-May	1	2	0
20-May	4	1	5
✓ 21-May	1	3	0
22-May	2	3	3
26-May	3	2	3
27-May	3	3	3
✓ 28-May	4	1	0
29-May	0	0	4



Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
JULY			
3-Jul	0	1	0
6-Jul	0	3	0
7-Jul	3	2	3
8-Jul	2	3	2
9-Jul	3	3	3
10-Jul	1	3	2
11-Jul	1	0	0
12-Jul	0	0	1
13-Jul	3	0	3
14-Jul	1	2	0
15-Jul	1	3	2
16-Jul	2	1	2
17-Jul	2	2	2
20-Jul	2	1	0
21-Jul	1	1	3
22-Jul	2	2	2
23-Jul	0	2	0
24-Jul	3	1	3
27-Jul	2	0	0
28-Jul	0	3	2
29-Jul	2	0	0
30-Jul	2	3	4
31-Jul	2	2	2

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
AUGUST			
3-Aug	1	1	0
4-Aug	1	0	2
5-Aug	3	3	3
7-Aug	3	0	3
10-Aug	3	3	3
11-Aug	2	2	2
12-Aug	0	2	0
13-Aug	3	3	3
14-Aug	2	0	0
17-Aug	1	2	3
18-Aug	2	0	0
19-Aug	1	0	0
20-Aug	0	1	2
24-Aug	0	2	0
25-Aug	2	0	1
27-Aug	1	1	2
28-Aug	1	0	0
31-Aug	0	0	1

CAPITOL MATERIALS, INC.
464 BISHOP STREET, N.W.
ATLANTA, GA

1997 DULUTH ANALYSES

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
27-May	0	2	0
29-May	0	3	0
JUNE			
2-Jun	1	0	0
3-Jun	1	2	2
4-Jun	4	2	1
5-Jun	1	0	3
6-Jun	2	3	1
8-Jun	0	0	1
9-Jun	1	2	0
10-Jun	1	0	2
11-Jun	1	3	2
12-Jun	2	0	1
13-Jun	1	2	1
15-Jun	0	2	1
16-Jun	1	2	0
17-Jun	0	0	1
18-Jun	1	0	1
19-Jun	2	2	1
20-Jun	1	2	2
23-Jun	3	2	2
24-Jun	1	2	2



Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
25-Jun	1	2	1
26-Jun	2	3	1
27-Jun	1	0	0
29-Jun	0	0	3
30-Jun	1	2	1
JULY			
1-Jul	0	1	0
2-Jul	2	1	1
3-Jul	2	1	3
7-Jul	1	3	1
8-Jul	2	0	0
9-Jul	2	3	3
10-Jul	4	2	2
11-Jul	2	3	2
13-Jul	0	0	2
14-Jul	1	2	0
15-Jul	2	2	3
16-Jul	3	2	1
17-Jul	1	1	1
18-Jul	2	3	3
20-Jul	0	1	0
21-Jul	1	2	1
22-Jul	2	0	0
23-Jul	1	2	3
24-Jul	1	0	1
25-Jul	1	3	1

1997 Revised Duluth Analyses

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
27-Jul	0	2	0
30-Jul	5	0	2
31-Jul	3	2	4
AUGUST			
1-Aug	0	0	2
SEPTEMBER			
2-Sep	3	2	3
3-Sep	2	1	0
4-Sep	1	1	3
5-Sep	1	1	0
7-Sep	0	0	1
8-Sep	5	0	3
9-Sep	0	0	2
10-Sep	1	1	0
11-Sep	0	0	1
12-Sep	0	5	0
13-Sep	0	0	1
15-Sep	3	1	2
16-Sep	3	2	3
17-Sep	2	1	2
18-Sep	1	1	1
19-Sep	2	4	1
21-Sep	0	2	1
22-Sep	3	0	2
23-Sep	1	2	2
24-Sep	0	1	0

1997 Revised Duluth Analyses

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
25-Sep	0	1	0
29-Sep	4	2	2
30-Sep	0	1	2
OCTOBER			
1-Oct	3	2	2
2-Oct	1	2	2
3-Oct	2	3	3
5-Oct	4	1	3
6-Oct	1	3	2
7-Oct	3	3	1
8-Oct	1	1	1
9-Oct	1	3	1
10-Oct	3	0	4
13-Oct	0	3	0
14-Oct	3	2	4
15-Oct	5	4	1
16-Oct	0	0	4
17-Oct	1	2	1
19-Oct	1	2	1
20-Oct	2	0	0
21-Oct	1	1	3
23-Oct	1	3	1
24-Oct	0	0	1
27-Oct	1	0	1
28-Oct	2	1	1
29-Oct	3	3	0

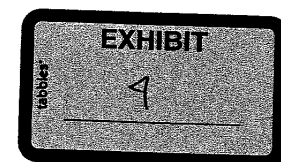
1997 Revised Duluth Analyses

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
30-Oct	0	0	4

CAPITOL MATERIALS, INC.
464 BISHOP STREET, N.W.
ATLANTA, GA

1998 DULUTH ANALYSES

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
8-Jan	0	0	1
9-Jan	0	6	0
12-Jan	6	1	1
13-Jan	1	5	5
14-Jan	2	2	2
15-Jan	1	2	2
16-Jan	2	0	0
18-Jan	0	2	2
19-Jan	1	1	0
20-Jan	3	2	3
21-Jan	2	3	2
22-Jan	1	2	2
23-Jan	1	0	0
25-Jan	0	2	1
26-Jan	4	0	2
27-Jan	0	3	2
28-Jan	4	2	2
29-Jan	1	4	2



Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
30-Jan	0	1	1
FEBRUARY			
2-Feb	1	0	0
3-Feb	1	0	1
6-Feb	2	2	3
7-Feb	3	0	0
8-Feb	1	1	3
9-Feb	2	3	1
10-Feb	2	1	3
11-Feb	0	2	1
12-Feb	2	2	2
13-Feb	2	0	2
15-Feb	0	5	0
17-Feb	1	0	0
18-Feb	2	0	3
19-Feb	1	2	0
20-Feb	2	0	3
22-Feb	1	3	1
23-Feb	0	2	0
24-Feb	3	0	1
25-Feb	1	0	3
26-Feb	1	3	0
27-Feb	3	0	3

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
MARCH			
1-Mar	0	4	3
2-Mar	2	2	2
3-Mar	1	3	1
4-Mar	3	0	2
5-Mar	0	2	2
6-Mar	3	0	0
7-Mar	0	0	1
8-Mar	0	1	2
9-Mar	2	0	0
10-Mar	1	0	0
11-Mar	2	2	2
12-Mar	2	2	2
16-Mar	1	3	2
17-Mar	3	0	2
18-Mar	0	2	0
19-Mar	4	0	3
20-Mar	2	4	3
22-Mar	2	2	3
23-Mar	2	3	2
24-Mar	2	1	2
25-Mar	2	0	3
26-Mar	1	1	1
27-Mar	1	0	1
29-Mar	0	2	0
30-Mar	2	0	0

1998 Revised Duluth Analyses

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
31-Mar	0	0	2
JUNE			
30-Jun	0	3	0
JULY			
1-Jul	1	0	0
2-Jul	2	0	3
3-Jul	0	1	0
5-Jul	0	1	0
6-Jul	1	2	1
7-Jul	3	2	2
8-Jul	1	2	3
9-Jul	0	3	0
10-Jul	2	1	2
11-Jul	1	0	0
12-Jul	0	0	1
13-Jul	0	2	0
14-Jul	1	2	0
15-Jul	2	0	3
16-Jul	2	2	2
17-Jul	1	0	0
19-Jul	0	3	1
20-Jul	1	2	0
21-Jul	1	0	2
23-Jul	2	3	2
24-Jul	1	0	2
25-Jul	1	0	0

1998 Revised Duluth Analyses

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
26-Jul	1	0	2
27-Jul	0	2	0
28-Jul	5	0	1
30-Jul	0	2	1
31-Jul	1	2	2
AUGUST			
2-Aug	0	2	1
3-Aug	1	0	1
4-Aug	2	2	2
5-Aug	2	3	3
6-Aug	2	2	1
7-Aug	1	1	2
9-Aug	0	1	0
10-Aug	2	1	2
11-Aug	3	2	1
12-Aug	0	1	2
13-Aug	1	2	1
14-Aug	1	0	0
17-Aug	1	1	1
18-Aug	5	2	3
19-Aug	1	3	2
20-Aug	0	0	1
21-Aug	2	3	1
24-Aug	0	2	13
25-Aug	2	0	2
26-Aug	4	2	1

Date	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
27-Aug	2	0	3
28-Aug	2	2	2
30-Aug	0	1	1
31-Aug	1	0	0
SEPTEMBER			
1-Sep	0	0	1

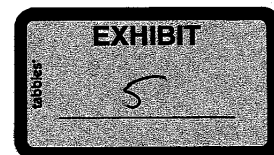
CAPITOL MATERIALS, INC.
464 BISHOP STREET, N.W.
ATLANTA, GA

1997 ATLANTA ANALYSES

Date	Day of the Week	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
3-Jun	Mon	3	0	2
4-Jun	Tues	4	3	3

1997 DULUTH ANALYSES

Date	Day of the Week	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
2-Jun	Sun	1	0	0
4-Jun	Tues	4	2	1
6-Jun	Thur	2	3	1
9-Jun	Sun	1	2	0
12-Jun	Wed	2	0	1
16-Jun	Sun	1	2	0
19-Jun	Wed	2	2	1
23-Jun	Sun	3	2	2



Date	Day of the Week	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
26-Jun	Wed	2	3	1
27-Jun	Thur	1	0	0
JULY				
2-Jul	Tues	2	1	1
8-Jul	Mon	2	0	0
10-Jul	Wed	4	2	2
14-Jul	Sun	1	2	0
16-Jul	Tues	3	2	1
22-Jul	Mon	2	0	0
30-Jul	Tues	5	0	2
SEPTEMBER				
3-Sep	Wed	2	1	0
5-Sep	Thur	1	1	0
8-Sep	Sun	5	0	3
10-Sep	Tues	1	1	0
15-Sep	Sep	3	1	2
19-Sep	Thur	2	4	1
22-Sep	Sun	3	0	2
29-Sep	Mon	4	2	2
OCTOBER				
1-Oct	Wed	3	2	2
5-Oct	Sat	4	1	3
7-Oct	Tues	3	3	1
15-Oct	Wed	5	4	1
20-Oct	Mon	2	0	0
28-Oct	Tues	2	1	1
29-Oct	Tues	3	3	0

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1998 ATLANTA ANALYSES

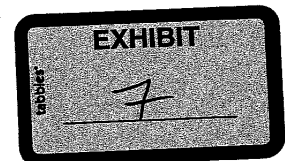
Date	Day of the Week	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
6-May	Wed	2	0	0
12-May	Tues	1	3	0
13-May	Wed	2	2	0
18-May	Mon	1	2	0
21-May	Thurs	1	3	0
28-May	Thur	4	1	0
JULY				
11-Jul	Sat	1	0	0
14-Jul	Tues	1	2	0
20-Jul	Mon	2	1	0
27-Jul	Mon	2	0	0
29-Jul	Wed	2	0	0
AUGUST				
3-Aug	Tues	1	1	0
14-Aug	Sat	2	0	0
18-Aug	Wed	2	0	0
19-Aug	Thur	1	0	0
25-Aug	Wed	2	0	1
28-Aug	Sat	1	0	0



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1998 DULUTH ANALYSES

Date	Day of the Week	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
12-Jan	Mon	6	1	1
16-Jan	Fri	2	0	0
19-Jan	Mon	1	1	0
23-Jan	Fri	1	0	0
26-Jan	Mon	4	0	2
28-Jan	Wed	4	2	2
FEBRUARY				
2-Feb	Mon	1	0	0
7-Feb	Sat	3	0	0
9-Feb	Mon	2	3	1
17-Feb	Tues	1	0	0
19-Feb	Thur	1	2	0
24-Feb	Tues	3	0	1
26-Feb	Thurs	1	3	0
MARCH				
4-Mar	Wed	3	0	2
6-Mar	Fri	3	0	0
9-Mar	Mon	2	0	0
10-Mar	Tues	1	0	0
17-Mar	Tues	3	0	2
19-Mar	Thur	4	0	3
30-Mar	Mon	2	0	0



Date	Day of the Week	Cars Ready for Pick-Up	Cars Actually Placed	Cars Picked Up
JULY				
1-Jul	Wed	1	0	0
7-Jul	Tues	3	2	2
11-Jul	Sat	1	0	0
14-Jul	Tues	1	2	0
17-Jul	Fri	1	0	0
20-Jul	Mon	1	2	0
25-Jul	Sat	1	0	0
28-Jul	Tues	5	0	1
AUGUST				
6-Aug	Thur	2	2	1
11-Aug	Tues	3	2	1
14-Aug	Fri	1	0	0
18-Aug	Tues	5	2	3
21-Aug	Fri	2	3	1
26-Aug	Wed	4	2	1
31-Aug	Mon	1	0	0