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29 May 2002

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Office of the Secretary
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Public Record



Mr. Vernon A. Williams
Secretary
SURFACE TRANSPORTATION BOARD
1925 K Street, N.W.
Washington, D.C. 20423

Re - DHX, Inc. advs. Matson Navigation Company and
Sea-Land Service, Inc., now known as SL Service,
Inc. and trading as CSX Lines, LLC
STB Docket No. WCC-105

Dear Mr. Williams:

On May 24, 2002, defendant "SL Service, Inc." filed a response to a motion for protective order submitted to the Board on May 17, 2002 by Complainant. The protective order sought to extend the time to respond to an onslaught of discovery materials requested and demanded to be provided in Washington, D.C. The response by defendant makes a series of representations with which counsel for complainant may take issue. However, a Reply to a Reply is not permitted. However, at page 5 of the defendant's response, it would appear that defendant is requesting that the Board "stay discovery". The response makes reference to a motion to dismiss filed on or about May 23-24, 2002 by defendant. That motion would further include the same request for a stay of discovery.

Complainant would hereby request that the Board not address respondent's request for stay of discovery in the Board's consideration of Complainant's Motion for Protective Order. Not only is the request, as made by way of a reply pleading, improper, but Complainant will be able to properly address defendant's request for stay of discovery in the reply of Complainant to defendant's motion to dismiss.

Mr. Vernon A. Williams
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Respectfully submitted,



Rick A. Rude

RR/mp

cc:

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FAX MESSAGE COVER SHEET



TO: Mr. Vernon A. Williams

AT: Surface Transportation Board

TELEFAX # AC 202 565 9004

FROM: R. A. Rude

NO. OF PAGES IN TRANSMISSION 3 (including cover sheet)

COMMENTS: Please see the attached correspondence. I
would request that this correspondence be forwarded to the
Office of Proceedings.

Thank You for your cooperation.