

209508

GALLAND, KHARASCH, GREENBERG, FELLMAN & SWIRSKY, P.C.

ATTORNEYS AT LAW

CANAL SQUARE 1054 THIRTY-FIRST STREET, NW WASHINGTON, DC 20007-4492
TELEPHONE: 202/342-5200 FACSIMILE: 202/342-5219RICHARD BAR
STEVEN JOHN FELLMAN ◊
EDWARD D. GREENBERG
WILLIAM F. KRESS ◊
DAVID K. MONROE ◊
REX E. REESE
TROY A. ROLF ◊
STUART M. SCHABES
DAVID P. STREET ◊
KEITH G. SWIRSKY ◊KEVIN I. BABITZ ◊
KATHARINE V. FOSTER ◊ROBERT N. KHARASCH ◊
JOHN CRAIG WELLENKOOther Offices Located in:
MARYLAND AND MINNESOTA
GEORGE F. GALLAND (1910-1983)WRITER'S DIRECT E-MAIL ADDRESS
egreenberg@gkglaw.comWRITER'S DIRECT DIAL NUMBER
202-342-5277

*NOT ADMITTED IN DC *NOT ADMITTED IN MD *OF COUNSEL

December 1, 2003

ENTERED
Office of Proceedings

DEC 01 2003

Part of
Public Record**VIA FACSIMILE AND U.S. MAIL**The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, D.C. 20423-0001**RE: STB Finance Docket 34442, Maritime Rail LLC -
Lease and Operation Exemption - - Meadows Industrial Tracks**

Dear Secretary Williams:

The undersigned is Special Counsel to the New Jersey Department of Environmental Protection ("NJDEP"). In that capacity, we have had an opportunity to briefly discuss the matters presented in the above-referenced Notice of Exemption with counsel for Maritime Rail LLC ("MRL") and have requested that MRL voluntarily postpone the effective date of the exemption.

I have been authorized by MRL's counsel to represent that MRL has no objection to a temporary stay of the effectiveness of the proposed exemption from December 2, 2003 to December 9, 2003 and we accordingly request that an appropriate order be issued to that effect. If you have any questions concerning this, please do not hesitate to contact me.

Very truly yours,


Edward D. Greenberg **INTERLAW.**

An International Association of Independent Law Firms in Major World Centers

GALLAND, KHARASCH, GREENBERG, FELLMAN & SWIRSKY, P.C.
The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
Page 2

cc: David Konschnik, Esq. (via facsimile)
John Heffner, Esq. (via facsimile)



An International Association of Independent Law Firms in Major World Centers

Galland, Kharasch, Greenberg, Fellman & Swirsky, P.C.

CANAL SQUARE
1054 THIRTY-FIRST STREET, N.W.
WASHINGTON, D.C. 20007-4492

(202) 342-5200

FACSIMILE TRANSMISSION
***** For Immediate Delivery *****

DATE: December 1, 2003
TO: David M. Konschnik
202-565-1600
FAX: 202-565-9003
FROM: Edward D. Greenberg
SENDER'S PHONE: 202-342-5277
SENDER'S FAX: 202-342-2311

PAGES TRANSMITTED: 3, INCLUDING THIS SHEET

If you have any difficulty receiving this fax, contact (202) 342-6771 Thank You!

MESSAGE OR SPECIAL INSTRUCTIONS:

Re: Maritime Rail LLC

CONFIDENTIALITY NOTICE
This facsimile transmission contains confidential information belonging to the sender, which may be legally privileged information. This information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or an employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the contents of the facsimile documents is strictly prohibited. If you have received this transmission in error, please notify us by telephone to arrange return of original facsimile to us.

