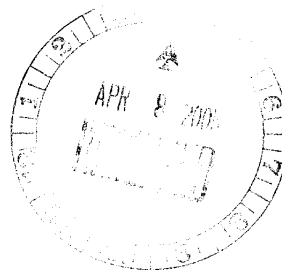


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BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 32760, SUB-FILE 42



IN THE MATTER OF ARBITRATION BETWEEN UNION PACIFIC RAILROAD
COMPANY AND JOHN E. GROTH, JR.,
NEW YORK DOCK ARBITRATION

(Arbitration Review)

CARRIER'S MOTION TO EXCEED PAGE LIMIT
FOR ITS RESPONSE TO PETITIONER'S APPEAL

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CARRIER'S MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT

Carrier Union Pacific Railroad Company ("UP") moves the Board to enter an Order allowing it to file its brief and appendices of exhibits and cases, which, in total, exceed the thirty page limit established by 49 C.F.R. § 1115.2. In support of its Motion, UP states as follows:

1. This Appeal arises from a New York Dock Arbitration Award entered on December 21, 2004, by Arbitrator Lynette Ross. The Claimant in this arbitration is John Grother. Arbitrator Ross' Award addressed three questions presented by the parties: (1) whether Grother's claim was barred by the doctrine of laches; (2) whether Grother was an "employee" within the meaning of New York Dock; and (3) whether a causal nexus existed between Grother's transfer and the UP-SP Merger. Each of these questions was resolved in UP's favor.
2. Grother challenges each of these findings. Grother has filed a brief in excess of 40 pages, and submitted hundreds of pages of exhibits in 11 appendices.
3. UP requests extension of the 30-page limit to respond to Grother's arguments. UP's brief does not exceed the 30 page limit. However, for the Board's convenience, UP has submitted the exhibits and arbitration awards it cites in separate appendices. As a result, UP's total submission exceeds 30 pages.
4. No party will be prejudiced by the Board's permission for UP to exceed the thirty page limit.

WHEREFORE, Carrier Union Pacific Railroad Company respectfully requests the Board to enter an Order allowing it to file its brief and the appendices of exhibits and cases, which, in total, exceed the thirty page limit of 49 C.F.R. § 1115.2, and for such other relief as is just.

Respectfully submitted,

THOMPSON COBURN LLP

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served,
via United States mail, first class postage prepaid, this 8th day of April 2005 on:

Gordon P. MacDougall
1025 Connecticut Ave., N.W., Suite 410
Washington, D.C. 20036

Rodney A. Harrison by cch