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BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Docket No. 42087

GROOME & ASSOCIATES, INC. AND LEE K. GROOME
v.
GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION

MOTION FOR EXPEDITED HANDLING

ENTERED
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JUL 18 2005
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Public Record

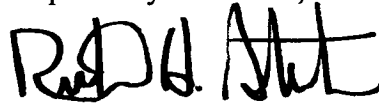
Come now Groome & Associates ("G&A") and Lee K. Groome ("Groome") (hereinafter collectively referred to as "Groome" and/or "Complainants"), by and through their attorneys of record, and file this Motion for Expedited Handling. Such relief is compelled by the recent filing of the Petition for Exemption filed by Greenville County Economic Development Corporation ("GCEDC") in STB Docket No. AB-490 (Sub-No. 1X), *Greenville County Economic Development Corporation - Petition for Exemption for Partial Discontinuance and Partial Abandonment - In Greenville County, SC*. In its Petition for Exemption, GCEDC has assumed *as fact* certain contested matters that are the subject of the instant Complaint. In effect, GCEDC is using its Petition to reply surreptitiously to evidence presented in the Complainants' Rebuttal Statement filed February 22, 2005. In order that Complainants not be prejudiced by this tactic, it is essential that the Board resolve this earlier filed proceeding in an expedited fashion.

It is recognized that the planned abandonment of the line would not moot the instant Complaint proceeding. Nonetheless, the impact of the comments made by GCEDC in its Petition cannot be ignored, especially when Complainants would only highlight GCEDC's arguments by filing a response or a motion to strike in the abandonment proceeding.

It is unconscionable that GCEDC should be allowed to manipulate the process by using the Petition in its abandonment case as a means of indirectly filing a thinly veiled and impermissible reply to a reply to Complainants' closing evidentiary submission in the instant proceeding. There is no justification whatsoever for allowing GCEDC any opportunity to prejudice Complainants through such a tactic. Hence, the Board should act immediately to resolve this proceeding and should direct its staff to disregard all factual assertions made by GCEDC in its abandonment case regarding any matter that is contested herein.

It is respectfully submitted that the only way that the Board and its staff will be able to avoid the trap that has been cleverly laid by GCEDC is to resolve immediately the various factual issues in the instant matter. Otherwise, Complainants will be unfairly prejudiced.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R.H. Streeter".

Richard H. Streeter
John Will Ongman
Barnes & Thornburg LLP
Counsel to Complainants
Groome & Associates and
Lee K. Groome.

Dated: July 15, 2005

CERTIFICATE OF SERVICE

I, Richard H. Streeter, hereby certify that on July 18, 2005, the foregoing "Motion for Expedited Handling" filed on behalf of Groome & Associates and Lee K. Groome," was served by e-mail and by placing a true copy in the U.S. Mail, first-class postage prepaid, upon the following:

William A. Mullins (wmullins@bakerandmiller.com)

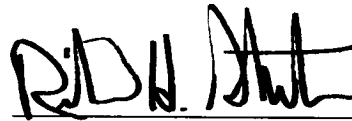
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A handwritten signature in black ink, appearing to read "R.H. Streeter", is written over a horizontal line.

Richard H. Streeter