

March 9, 2006
BY HAND DELIVERY

Surface Transportation Board
Office of the Secretary
Case Control Unit
1925 K Street, NW
Washington, DC 20423-0001

Re: **STB [I.C.C.] Finance Docket No. 32549 (BURLINGTON NORTHERN, INC. –
CONTROL AND MERGER – SANTA FE PAC. CORP. & ATCHESON, TOPEKA
& SANTA FE RY. CO.)**

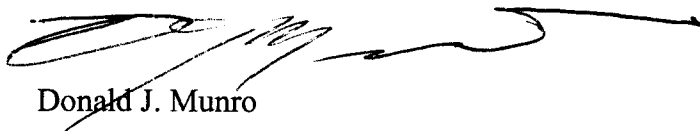
Dear Mr. Williams:

Enclosed for filing on behalf of BNSF Railway Company in the above-captioned docket
are an original and ten (10) copies each of:

- 215966
- (1) **MOTION OF BNSF RAILWAY COMPANY FOR SUMMARY JUDGMENT**
 - (2) **BRIEF OF BNSF RAILWAY COMPANY IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

Pursuant to Section 1002.2 of the regulations of the Surface Transportation Board, a check for
the \$200.00 filing fee accompanies this filing. Thank you.

Sincerely,



Donald J. Munro

cc: Michael S. Wolly, Esq.

215966

BEFORE THE SURFACE TRANSPORTATION BOARD

MAR 9 2006
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BNSF-1

In the Matter of:

STB [I.C.C.] Finance Docket No. 32549 (Sub No. 25)

**BURLINGTON NORTHERN, INC. – CONTROL AND MERGER – SANTA FE PAC.
CORP. & ATCHISON, TOPEKA & SANTA FE RY. CO.**

**MOTION OF BNSF RAILWAY COMPANY
FOR SUMMARY JUDGMENT**

BNSF Railway Company hereby moves for summary judgment and/or to dismiss the Petition filed November 2, 2005 by the Brotherhood of Locomotive Engineers and Trainmen. The grounds for this motion are set forth in the accompanying Brief in Support of Summary Judgment.

Respectfully submitted,



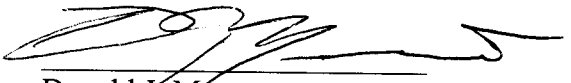
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*Attorney for BNSF Railway
Company*

March 9, 2006

CERTIFICATE OF SERVICE

This is to certify that a copy of the attached Motion for Summary Judgment was duly served upon counsel of record for the Brotherhood of Locomotive Engineers and Trainmen by hand delivery this 9th day of March, 2006, at the following address:

Michael S. Wolly, Esq.
ZWERDLING, PAUL, KAHN & WOLLY
1025 Connecticut Avenue, NW Suite 712
Washington, DC 20036
Attorney for BLET


Donald J. Munro