

Law Offices
of
Mark A. Cuthbertson

220612

Of Counsel
Thomas L. Costa
Michelle M. Pfeifferberger

October 31, 2007

The Honorable Vernon A. Williams
Secretary Surface Transportation Board
1925 K Street NW, Suite 715
Washington, DC 20423-0001

Re: Suffolk and Southern Railroad LLC
Lease and Operation Exemption
Sills Road Realty, LLC
STB Finance Docket No. 35036

Dear Mr. Williams:

I was recently retained by the Town of Brookhaven, New York ("Town") to represent its interests in the above-referenced matter. As you may know, the Town has corresponded with the STB with respect to this matter in the past several weeks. The Town recently became aware that Suffolk and Southern Railroad LLC and Sills Road Realty had submitted a Petition for a Stay of the decision served October 12, 2007 and a Petition for Reconsideration, which was filed October 26, 2007. The Town was never served with these documents even though US Rail and Sills Road Realty knew of the Town's interest in this matter.

The Town respectfully requests that the STB allow it five (5) days in which to respond to the Petition for the Stay of the decision served October 12, 2007. Thank you for consideration of this request.

Very truly yours,


Mark A. Cuthbertson

MAC:djf
cc: John D. Heffner, Esq.
Robert Quinlan, Esq.

CERTIFICATION OF SERVICE

I, Mark A. Cuthbertson, certify that a copy of this document, as submitted to the Board via electronic filing, was sent via email to John D. Heffner, (counsel for U.S. Rail Corporation and Sills Road Realty, LLC).

LAW OFFICES OF MARK A. CUTHBERTSON

By: 

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