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LAW OFFICES OF JOE A. RODRIGUEZ

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Please Reply To : Lame Deer, Montana Office

November 2, 2007

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Suite 700
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

NOV 6 2007

Part of
Public Record

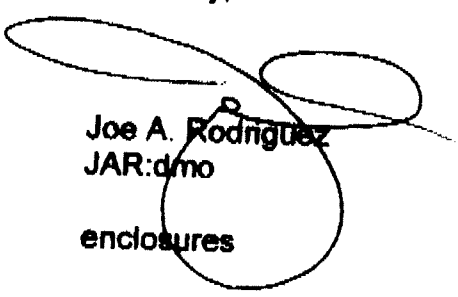
RE: Finance Docket No. 30186 (Sub-No. 2 and Sub-No.3)
Tongue River Railroad Company -- Rail Construction
And Operation -- in Rosebud and Big Horn Counties, Montana

Dear Secretary Williams:

Please find enclosed for filing in the above matter(s) an original and ten (10) copies of Native Action's Concurrence and Joinder in the Petition For Stay Pending Judicial Review filed by Northern Plains Resource Council, City of Forsyth and United Transportation Union, dated October 29, 2007.

Thank you for your attention to this matter.

Sincerely,



Joe A. Rodriguez
JAR:dmo

enclosures

cc: All Parties of Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 30186 (SUB-NO.2)

TONGUE RIVER RAILROAD COMPANY - RAIL CONSTRUCTION
AND OPERATION - IN ROSEBUD AND BIG HORN COUNTIES, MONTANA

FINANCE DOCKET NO. 30186 (SUB-NO.3)

TONGUE RIVER RAILROAD COMPANY - RAIL CONSTRUCTION
AND OPERATION EXEMPTION-- WESTERN ALIGNMENT

NATIVE ACTION, INC.'S CONCURRENCE AND JOINDER IN PETITION
FOR STAY PENDING JUCICIAL REVIEW

Joe A. Rodriguez
P.O. Box 820
Lame Deer, MT 59043
(406) 477-6315

Attorney for Native Action, Inc.

November 5, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 30186 (SUB-NO.2)

TONGUE RIVER RAILROAD COMPANY - RAIL CONSTRUCTION
AND OPERATION - IN ROSEBUD AND BIG HORN COUNTIES, MONTANA

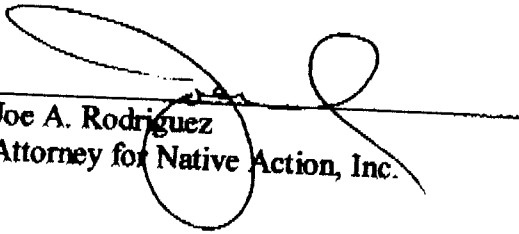
FINANCE DOCKET NO. 30186 (SUB-NO.3)

TONGUE RIVER RAILROAD COMPANY - RAIL CONSTRUCTION
AND OPERATION EXEMPTION-- WESTERN ALIGNMENT

NATIVE ACTION, INC.'S CONCURRENCE AND JOINDER IN PETITION
FOR STAY PENDING JUCICIAL REVIEW

Native Action, Inc. hereby states its concurrence with and joinder in, the Petition
for Stay Pending Judicial Review filed in this matter by Northern Plains Resource
Council, City of Forsyth and United Transportation Union, dated October 29, 2007, and
hereby incorporates said Petition by this reference, as if fully set forth herein.

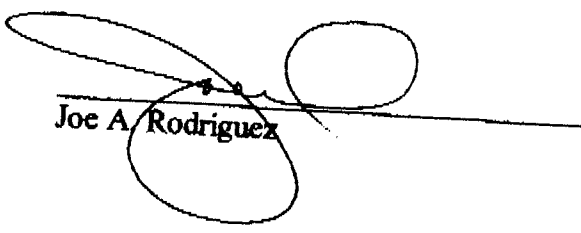
Dated this 5th day of November, 2007.



Joe A. Rodriguez
Attorney for Native Action, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. Mails upon all parties of record, this 5th day of November, 2007.



Joe A. Rodriguez