

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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225661
225662

E.I. DUPONT DE NEMOURS AND COMPANY)

Complainant,)

v.)

CSX TRANSPORTATION, INC.)

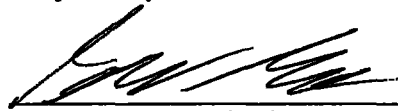
Defendant.)

Docket Nos. NOR 42099, 42100 and
42101

MOTION TO DISMISS

Complainant, E.I. du Pont de Nemours and Company ("DuPont"), has reached a voluntary settlement with Defendant, CSX Transportation, Inc. ("CSXT"), of the matters at issue in this proceeding. Accordingly, DuPont hereby requests that the Board dismiss the complaints in the above-captioned dockets with prejudice and discontinue these proceedings.

Respectfully submitted,



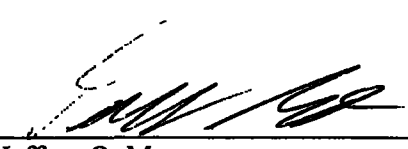
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August 31, 2009

CERTIFICATE OF SERVICE

I hereby certify that this 31st day of August, 2009, I served a copy of the foregoing Motion to Dismiss by e-mail, upon counsel for Defendant at the following address:

G. Paul Moates
Sidley Austin LLP
1501 K Street, NW
Washington, D.C. 20005



Jeffrey O. Moreno