

FILE

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LICENSED AND ADMITTED
IN OHIO AND INDIANA

May 8, 2013

PUCO
180 East Broad Street
Columbus, OH 43215-3793

Attn: Docketing Division

Re: *Mary J. Bailer, Gary E. Bailer, Alan L. Bailer, and Kurt F. Bailer*
-vs- *RailAmerica and Indiana and Ohio Railway Company*
Case No. 12-1314-RR-CSS

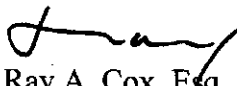
Dear Docketing Division:

Enclosed please find original and two copies of:

Notice of Dismissal With Prejudice

Please send back one copy, along with the assigned case number, in the enclosed self-address stamped envelope provided for your convenience.

Very truly yours,


Ray A. Cox, Esq.

Enclosure

RAC/pk

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

IN THE MATTER OF THE COMPLAINT OF	*	
MARY J. BAILAR, GARY E. BAILAR,		
ALAN L. BAILAR, AND KURT F. BAILAR	*	CASE NUMBER 12-1314-RR-CSS
COMPLAINANTS		
V.		
RAILAMERICA, INC. AND INDIANA AND	*	KATIE L. STENMAN
OHIO RAILWAY COMPANY		ATTORNEY EXAMINER
RESPONDENTS		

NOTICE OF DISMISSAL WITH PREJUDICE

In that the parties having settled and comprised their differences, and subject to the Settlement Agreement with Release, this case is dismissed with prejudice.

Respectfully submitted,



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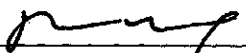
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served this 9 day of May 2013, by electronic means and/or US Mail upon the following parties:

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