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BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

BENTON COUNTY,)
)
 Petitioner,)
)
 vs.)
)
 THE BURLINGTON NORTHERN AND)
 SANTA FE RAILWAY COMPANY (now)
 called BNSF Railway Company),)
)
 Respondent.)
)
 _____)

DOCKET NO. TR-042083
NOTICE OF WITHDRAWAL AND
SUBSTITUTION OF ATTORNEYS

PLEASE TAKE NOTICE THAT, the law firm of Gibson Kinerk LLP (and each of its appearing attorneys), does hereby withdraw as attorneys for defendant The Burlington Northern and Santa Fe Railway Company (now called BNSF Railway Company), and consents to the substitution in its place of the law firm Montgomery Scarp MacDougall, PLLC, by and through its appearing attorneys Tom Montgomery, Bradley P. Scarp, Allan L. MacDougall, Kevin S. MacDougall and Robert E. Walkley.

///
///

1 CERTIFICATE OF SERVICE

2 I declare under penalty of perjury of the laws of the State of
3 Washington that on July ___, 2005, I caused to be
4 served in the manner indicated a true and accurate copy of
5 the foregoing document upon the following:

6 Jonathon Thompson
7 Asst. Attorney General [x] By Mail
8 1400 S. Evergreen park Drive S.W. [] By Hand Delivery
9 P.O. Box 40128 [] By Facsimile
10 Olympia, WA 98504-0128

11 Carol Washburn, Exec. Secretary
12 WA. Utilities and Transportation Comm. [x] By Mail
13 1300 S. Evergreen park Drive S.W. [] By Hand Delivery
14 P.O. Box 47250 [] By Facsimile
15 Olympia, WA 98504-7250

16 Kathleen Fitzgerald
17 Civil Deputy Prosecuting Attorney [x] By Mail
18 Benton County Prosecutor's Office [] By Hand Delivery
19 Kennewick, WA 99336 [] By Facsimile

20 MONTGOMERY SCARP MACDOUGALL, PLLC

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By: Staci Wilkie