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February 4, 2005

Freedom of Information Act Coordinator,
Office of Chief Counsel
Federal Railroad Administration,
United States Department of Transportation
1120 Vermont Avenue, N.W., Stop 10
Washington, D.C. 20590

Re: **CODE OF FEDERAL REGULATIONS (CFR), Title 49, Transportation;
Subtitle B, Other Regulations Relating to Transportation;
Chapter II, Federal Railroad Administration, DOT (Parts 200-299)**

{I understand that such regulatory sections will be found in the first half of Volume 4 of the seven volumes which constitute CFR Title 49}

FEDERAL RAILROAD
ADMINISTRATION
2005 FEB 11 PM 1:38
OFFICE OF THE CHIEF COUNSEL

Ladies and Gentlemen:

This is a request for records from your agency pursuant to the U. S. Freedom of Information Act.

I represent Plaintiffs in a railroad derailment case against CSX Transportation, Inc. (CSXT). My clients are rural land owners. The main railway line of CSXT from Chattanooga, Tennessee to Nashville, Tennessee runs through the midst of my clients' rural cattle farm lands. In the early morning hours of March 24, 1999, eight (8) cars of a seventy-four (74) car/three (3) locomotive-engine train derailed spilling thousands of pounds of U. S. Marine Corps ordnance [which was the sole cargo being transported in all of the eight (8) cars which derailed] onto my clients' farm lands. It was a huge mess—and still is—and my clients suspect that ordnance remains on their lands even to this day. One of my tasks as Plaintiffs' counsel in the upcoming trial of this matter will be to establish the liability of CSXT for the aforesaid derailment due to its negligence in failing to comply with various safety requirements including federal regulatory safety requirements.

At the trial of the aforesaid litigation I will want to introduce into the record of the proceedings documentary evidence of the aforesaid federal regulatory authority which was applicable to the Defendant railroad on the date of the derailment (i.e., the very early morning hours of March 24, 1999). I understand that such documentary authority will be found in the referenced **CFR** citations published on October 1, 1998 and afterwards to the date of the derailment.

Of course, to be admissible at trial documentary evidence of the aforesaid applicable federal regulatory authority will need to comply with the various evidentiary formalities pertaining to proper authentication (i.e., referring to the proper *binding together* of the various papers of the documentary assembly, and the proper *sealing* of the same with the official seal of your agency).

Please advise beforehand concerning the remittance required to respond to this request.

However, unless we are talking about extremely large sums of money to respond to this request we will be happy to pay such fees as FRA, DOT may charge in doing so.

Thanking you for your courtesies and assistance in this matter, I am,

Sincerely,

A handwritten signature in black ink, appearing to read "John Bumpus". The signature is fluid and cursive, with a large, prominent "B".

John Bumpus

cc:

Tennessee