

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

CEDAR FARMS CO., INC., on behalf of itself and all
others similarly situated,

Plaintiff,

v.

CSX TRANSPORTATION, INC., BNSF RAILWAY
COMPANY, UNION PACIFIC RAILROAD
COMPANY, NORFOLK SOUTHERN RAILWAY
COMPANY, AND KANSAS CITY SOUTHERN
RAILWAY COMPANY,

Defendants.

Civil Action No. 3:07-CV-00557-
TJC-MCR

STIPULATION AND AGREED ORDER

IT IS HEREBY STIPULATED AND AGREED by and between counsel for defendants
and plaintiff, as follows:

WHEREAS at least 18 actions raising similar allegations as those made in the complaint
herein have been filed in various jurisdictions, including this one, and motions have been filed
with the Judicial Panel on Multidistrict Litigation ("Panel") to consolidate and transfer all such
actions before a single court; and

WHEREAS plaintiff and defendants agree that, in the interest of judicial economy,
defendants need not answer or otherwise respond to the complaint in this matter until a decision
has been rendered by the Panel on the pending consolidation and transfer motions;

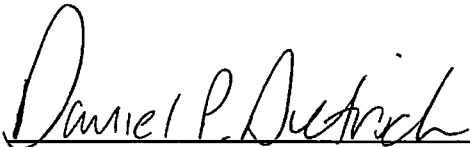
THEREFORE, IT IS STIPULATED AND AGREED that, subject to the Court's
approval;

1. The time within which all defendants are to move, answer, or otherwise plead in response to the complaint in this action is extended until after the Panel consolidates this case and other similar cases and the transferee Court establishes a scheduling order for responses;

2. The defendants' entry into this stipulation shall not constitute a waiver of any defense, including but not limited to, the defenses of lack of personal jurisdiction, lack of subject matter jurisdiction, or improper venue. The defendants expressly reserve their right to raise all defenses in response to the complaint herein and any subsequent amended complaint which may be filed;

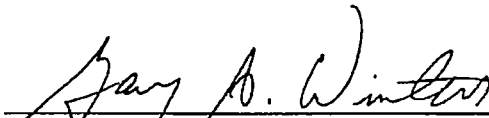
3. For the purpose of this action only, defendants agree that defense counsel designated below for each defendant is authorized to accept service of the complaint filed herein on behalf of the defendant represented by each such counsel;

4. In the event defendants answer or otherwise respond to the complaint in a similar action at an earlier date in another jurisdiction, defendants shall file their answer or otherwise respond to the complaint in this action by the same date as in the other similar action.



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Dated July 6, 2007

SO ORDERED this 6th day of July, 2007


United States District Judge