

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE COMMITTEE OF 100 ON THE)
FEDERAL CITY)
)
Plaintiff)
v.)
)
ANTHONY FOXX, Secretary of)
Transportation, et al.)
)
Defendants)
_____)

PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION

EXHIBIT 1



National Gateway

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CSX Announces National Gateway to Improve Flow of Freight

Program Launched at Ohio Offices of Pacer International, a CSX Customer
Dublin, Ohio - May 1, 2008 - CSX Corporation today launched the National Gateway, a \$700 million public-private infrastructure initiative to create a highly efficient freight transportation link between the Mid-Atlantic ports and the Midwest.

When completed, the National Gateway would provide greater capacity for product shipments in and out of the Midwest, reduce truck traffic on already crowded highways, and create thousands of jobs that directly or indirectly support the National Gateway.

CSX has already committed \$300 million to the National Gateway, and will work with several states and the federal government to secure additional funding.

The National Gateway incorporates two primary parts. First, CSX would build or expand several high-capacity, job-producing intermodal terminals where product shipments are exchanged between trucks and trains. At the same time, CSX would work together with state and federal government agencies to create double-stack clearances beneath public overpasses along the railroad. Double-stack clearances allow rail carriers to stack intermodal containers atop each other, enabling each train to carry about twice as many cargo boxes. Currently many overpasses only accommodate single-stack trains.

"More and more, the nation is becoming aware of the tremendous safety, economic and environmental benefits that railroads create. Our trains can move a ton of freight 423 miles on a single gallon of fuel, and one train can carry the load of more than 280 trucks," said Michael J. Ward, chairman, president and chief executive officer of CSX. "The National Gateway leverages those benefits to the fullest by combining the resources and expertise of the public and private sectors."

The National Gateway was launched at the offices of Pacer International, a CSX customer, in Dublin, Ohio with Governor Ted Strickland. The governor has pledged to work with state and federal officials to support the initiative, which calls for two new intermodal terminals in Wood County and Columbus at a cost of \$130 million to CSX. The terminals will ultimately spur the development of related businesses and thousands of jobs to support them.

"In Ohio, this initiative helps solidify our state's position as a transportation gateway for the country," said the Governor. "This is a major competitive advantage that can greatly benefit the citizens of Ohio, and the state of Ohio is committed to doing its part to help build this sort of needed infrastructure. In doing so, we'll also be setting an example for other states around the nation."

"We are delighted that CSX and Governor Strickland are taking these important steps to ensure the future viability of our transportation system," said Michael E. Uremovich, Chairman and CEO, Pacer International.

The National Gateway will enhance three existing rail corridors that run through Maryland, Virginia, North Carolina, Pennsylvania, Ohio and West Virginia. Those corridors include:

The I-70/I-76 Corridor between Washington, D.C. and northwest Ohio via Pittsburgh;
The I-95 Corridor between North Carolina and Baltimore via Washington, D.C.; and
The Carolina Corridor between Wilmington and Charlotte, North Carolina.

The U.S. Department of Transportation forecasts that by 2020, overall freight tonnage hauled in the United States will have grown by 70% from 1998 levels. The National Gateway infrastructure initiative is designed to address the ever-increasing demands placed on the nation's capacity strained freight network.

A study of the National Gateway project by Cambridge Systematics, a nationally recognized transportation research firm

Fast Facts

The National Gateway will create more than 50,000 jobs overall, and 10,000 jobs during construction.

Featured Project

[Northwest Ohio Terminal Facility](#)

[\(/projects/project/69\)](/projects/project/69)
North Baltimore, Ohio

Construct Terminal

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based in Cambridge, MA found that every \$1 of public money invested in rail infrastructure improvements will lead to \$1.50 in public benefits. The study noted that by improving the flow of freight and shifting freight transportation from the highway to the railway, the initiative will improve safety, relieve congestion, benefit the environment and reduce highway maintenance costs. For more information, visit www.nationalgateway.org (<http://www.nationalgateway.org>).

CSX Corporation, based in Jacksonville, Fla., is a leading transportation company providing rail, intermodal and rail-to-truck transload services. The company's transportation network spans approximately 21,000 miles with service to 23 eastern states and the District of Columbia, and connects to more than 70 ocean, river and lake ports. More information about CSX Corporation and its subsidiaries is available at the company's web site, www.csx.com. (<http://nationalgateway.org/content/resources/www.csx.com>)

ABOUT PACER INTERNATIONAL (www.pacer-international.com) Pacer International, a leading asset-light North American third-party logistics and freight transportation provider, through its intermodal and logistics operating segments, offers a broad array of services to facilitate the movement of freight from origin to destination. The intermodal segment offers wholesale services provided by Pacer Stacktrain (cost-efficient, two-tiered rail transportation for containerized shipments) and Pacer Cartage (local trucking), as well as retail services through its Rail Brokerage group (intermodal marketing). The logistics segment provides retail truck brokerage, trucking, warehousing and distribution, international freight forwarding, and supply-chain management services. Pacer International is headquartered in Concord, California. Its intermodal and logistics operating segments are headquartered in Concord, California, and in Dublin, Ohio, respectively.