

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

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

**PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION**

**EXHIBIT 5**

## News Releases

### CSX Commits Additional \$160 Million to National Gateway

JACKSONVILLE, Fla., May 18, 2011 /PRNewswire via COMTEX/ --

CSX announced today that it will invest \$160 million over the next several years to complete one of the most important transportation projects in the country -- the National Gateway. This project will deliver substantial public benefits, including thousands of jobs. This latest commitment by CSX will bring those benefits and jobs much sooner than would otherwise be possible.

"Through the National Gateway, CSX and its public partners are working together to vastly improve the quality and flexibility of the eastern rail network," said Michael J. Ward, CSX chairman, president and chief executive officer. "With today's new \$160 million commitment, CSX will have obligated a total of about \$575 million over several years to better meet the needs of our customers, our states and our ports."

Total project costs are approximately \$850 million, and state and federal partners are investing more than \$280 million to help secure the substantial public benefits of the National Gateway. These public partners recognize that investing in the quality of the transportation infrastructure is essential for American competitiveness.

The National Gateway investment will be made over several years and, taken together, represent one of the largest project investments in company history. The amounts are included in the company's long-term capital plans.

Most of the \$160 million investment announced today will expand and improve the century-old Virginia Avenue Tunnel in Washington, D.C. and provide double-stack train clearances in Maryland, West Virginia and the District of Columbia.

**Supporting ports and businesses.** The project will move more of CSX's customers' freight on double-stack trains between the Midwest and the Ports of Baltimore, Virginia, and Wilmington. This will be especially important as the Panama Canal expansion brings more traffic through these ports.

**Supporting communities.** The National Gateway will bring jobs and infrastructure improvements to communities while taking trucks off the highways. In the first 30 years of operation, it is expected to create 50,000 jobs and convert more than 14 billion highway miles to rail, saving many millions of dollars of highway maintenance costs.

**Supporting the environment.** Trains can move one ton of freight nearly 500 miles on a single gallon of fuel, and double-stack trains traveling along the National Gateway can deliver twice as many goods on one trip. The National Gateway could avoid nearly 2 billion gallons of fuel consumption and 20 million tons of CO2 emissions in the first 30 years of operation.

"The completion of the National Gateway and Virginia Avenue Tunnel will help improve the flow of rail traffic through the District and the region, and we will be working with CSX to minimize the impact of the construction on our residents and neighborhoods," said Terry Bellamy, interim director, District Department of Transportation.

"The National Gateway will positively impact Maryland's economy, transportation system and environment," said Maryland Transportation Secretary Beverley Swaim-Staley. "We have been proud to partner with CSX on this initiative and today's announcement is another significant demonstration of their commitment to Maryland. It will allow Maryland to compete globally while creating jobs and growing the economy locally."

Sean T. Connaughton, secretary of transportation for the Commonwealth of Virginia, said, "The National Gateway, with its improvements to the Virginia Avenue Tunnel, Kilby Yard and along the I-95 rail corridor, will open new business opportunities for the Port of Virginia and position the Commonwealth to be even more competitive in the global economy. The improvements on this corridor will also help address highway congestion and complement Virginia's passenger rail initiatives."

### ***About the National Gateway***

The National Gateway is an innovative infrastructure project that will improve the flow of freight rail traffic throughout the eastern United States by increasing the use of double-stack trains, creating a more efficient rail route between Mid-Atlantic ports and Midwestern markets. This award-winning public-private partnership will clear 61 obstructions and build or expand six intermodal facilities along CSX's network in North Carolina, Virginia, Maryland, West Virginia, Pennsylvania, Ohio and the District of Columbia that together make up the National Gateway. The National Gateway is supported by a broad and diverse group of more than 300 public and private sector organizations and individuals. For more information visit [www.nationalgateway.org](http://www.nationalgateway.org) <URL: <http://www.nationalgateway.org>>.

### ***About CSX***

CSX, based in Jacksonville, Fla., is one of the nation's leading transportation companies, 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 240 short line and regional railroads and more than 70 ocean, river, and lake ports. More information about CSX Corporation and its subsidiaries is available at [www.csx.com](http://www.csx.com) <URL: <http://www.csx.com>>.

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