

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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James Thornton, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 98CV0890 (EGS)
	)	
National Railroad Passenger	)	
Corporation ("AMTRAK"),	)	
	)	
Defendant.	)	

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STIPULATION AND ORDER

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The undersigned counsel for the Plaintiff Class and Plaintiff Pennsylvania Federation, BMW and Defendant National Railroad Passenger Corporation ("AMTRAK") have pursued the negotiation and mediation procedures for incorporation of injunctive provisions into the collective bargaining agreement pursuant to Section V of the Consent Decree. Despite good faith efforts and progress in their discussions, the parties have been unable to resolve their differences. The Consent Decree, which has a duration of four years, will expire by its terms on June 30, 2004. Therefore, in order to facilitate the possibility of resolution between the parties of the incorporation issue, while deferring and minimizing the potential involvement of the Court, the parties hereby stipulate and agree as follows:

1. The Consent Decree is extended in its entirety until July 31, 2004.
2. Section V of the Consent Decree will be extended further from July 31, 2004 until July 31, 2005.

3. The parties, by separate interim agreement, have established certain interim working conditions derived from the Consent Decree, which they will apply beginning August 1, 2004 and continue until they resolve the issue of incorporation of injunctive provisions into the collective bargaining agreement pursuant to Section V of the Consent Decree. The parties have reached an agreement concerning a non-judicial dispute resolution procedure with respect to any disputes arising from the interim terms. The parties have agreed not to disclose those terms to the Court in order to preserve their respective positions before the Court under the procedures of Section V of the Consent Decree.

4. The parties agree to resume mediated negotiations concerning incorporation of injunctive provisions into the collective bargaining agreement no later than November 1, 2004, and to submit the issue for resolution to the Court, if necessary, not later than February 28, 2005, unless otherwise agreed by the parties.

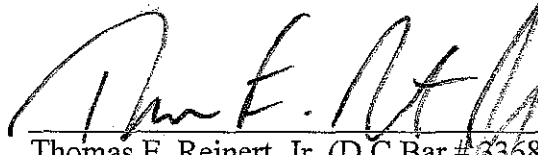
5. This stipulation is entered without prejudice to the parties' rights pursuant to the provisions of the Consent Decree, which are expressly reserved.

Respectfully submitted,



Michael D. Liéder (D.C. Bar # 444273)  
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Plaintiff Pennsylvania Federation, BMW  
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Dated: June 28, 2004

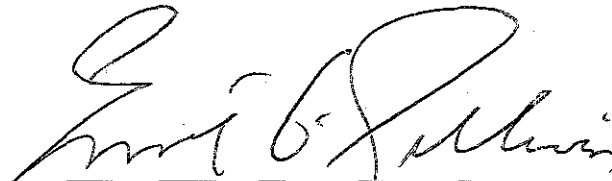


Thomas E. Reinert, Jr. (D.C. Bar # 335867)  
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Morgan, Lewis & Bockius LLP  
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**SO ORDERED:**

Dated:

6/30/04



The Honorable Emmet G. Sullivan  
United States District Court Judge  
United States District Court for the  
District of Columbia

Copies to:

Thomas E. Reinert, Jr.  
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Washington, D.C. 20004

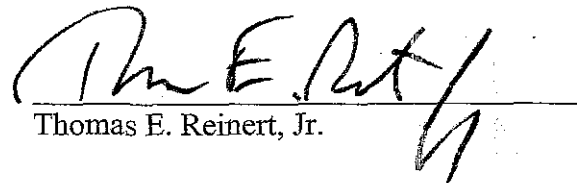
William Herrmann  
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Michael D. Lieder  
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1614 20th Street, N.W.  
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**CERTIFICATE OF SERVICE**

I, Thomas E. Reinert, Jr., a partner with Morgan, Lewis & Bockius LLP, attorneys for the Defendant, hereby certify that on June 29, 2004, I caused a copy of the Stipulation and Order, and cover letters to the Clerk and to Judge Sullivan, to be hand delivered to:

Michael D. Lieder  
Sprenger & Lang, PLLC  
1614 20th Street, NW.  
Washington, DC 20009

  
Thomas E. Reinert, Jr.