

MEMORANDUM OF AGREEMENT EXECUTED AT GARY, INDIANA, THIS 1ST DAY OF FEBRUARY, 2010, BETWEEN GARY RAILWAY COMPANY AND THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN, REPRESENTING ENGINEERS.

Article 65 (Meal Period) of the engineers' agreement between the Gary Railway Company and the Brotherhood of Locomotive Engineers is hereby revised in its entirety to read as follows, effective February 1, 2010:

"ARTICLE 65- Meal Period

- "(a) Engineers employed on eight (8) hour switch or transfer crews will be allowed twenty (20) minutes continuous time for lunch between the 4th and 5th hours after starting work, without reduction of time or pay.

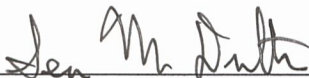
NOTE: If meal period is not allowed by the carrier to be completed by the end of the fifth hour, a penalty of twenty minutes' pay will be paid to the affected employee(s).

- "(b) If, for some unforeseen circumstance, a switch or transfer crew is required to be on duty more than nine (9) hours and fifty-nine (59) minutes, they will be allowed thirty (30) minutes for a second meal period."

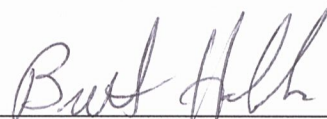
This agreement will remain in effect, without change, subject to the Railway Labor Act.

For the Gary Railway Company:

For Brotherhood of Locomotive Engineers:



Sean M. Dalton,
Director Labor Relations/
General Claim Agent



Brett Hobbs, General Chairman