

## David Rifkind Talks to *Bloomberg Law* About Rail Competition During Biden Presidency

In the News

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Partner [David Rifkind](#) was recently quoted in a *Bloomberg Law* article regarding the longstanding debate over competitive access to freight railroads that resurfaced after President Biden's recent executive order, which asks the Surface Transportation Board (STB) to allow competitive access remedies for shippers.

The order specifically asks the STB to reconsider its rules on reciprocal switching pursuant to which the Board can order a railroad to interchange traffic to a competitor in certain circumstances. The STB has pending rulemakings to consider revising its rules to make it easier for shippers to obtain a competitive access remedies including reciprocal switching but those proceedings appear to have stalled and Rifkind believes that the impact of the executive order on that proceeding is unpredictable.

"Whether the executive order sways any of the members' votes on how to proceed within the context of those proceedings, it's anyone's guess," stated Rifkind.

David focuses his regulatory, litigation and transaction practice on the transportation industry. He represents major corporations in complex litigation in federal and state courts, in arbitration and before regulatory agencies and counsels clients on regulatory compliance, dispute resolution and business transactions.

### CONTACT

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