



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

August 27, 2021

John Suscheck
CEO
Ozark Mountain Railcar
P.O. Box 167
Kirbyville, MO 65679

RE: Termination of NCDOT Exclusive Brokerage Contract

Dear Mr. Suscheck,

Regarding the five (5) NCDOT owned locomotive shells stored at Anaheim, CA, NCDOT has determined it is in the best interest of the State of North Carolina to remove the locomotives from public listing and terminate the Exclusive Brokerage Contract ("Contract") executed between NCDOT and Ozark Mountain Railcar (OMR) on December 18th, 2020. NCDOT hereby provides this written notice of termination of the Contract, effective September 26, 2021.

Per Section 3 of the Agreement, NCDOT will compensate OMR \$1,000.00 for marketing efforts due to its termination of the Agreement. Additionally, per the terms of Section 3 and Section 2, NCDOT understands additional contract terms may apply to the sale of the locomotives by NCDOT to buyers on the OMR contact list, or under an OMR Buyers Contract.

Please provide to NCDOT an invoice dated September 27, 2021, in the amount of \$1,000.00 for the marketing fee due to OMR, as well as a written formal statement confirming termination.

If you have any questions, concerns, or need further information regarding this matter, please do not hesitate to contact me.

Sincerely,

Nicholas Konen, PE, PMP
NCDOT: Rail Division: Operations & Facilities Branch Manager