

**Charles A. Spitulnik**

*Partner, Kaplan, Kirsch & Rockwell, LLP*

Mr. Spitulnik is a versatile attorney with more than 25 years experience in the practice of law, including extensive experience in transportation, major transactions, federal regulatory practice, and litigation. He also has experience in general corporate matters, labor and employee relations. He has management and operating experience as President and Chief Operating Officer of a railroad industry car management firm. In recent years, his practice has been devoted primarily to work in various facets of the rail industry with a particular focus on representation of state and local governments that have issues involving interaction with the railroads that serve their communities. This includes developing plans for new, continuing or expanding commuter rail and transit service, as well as other issues related to the presence of the railroads in the community. For commuter rail and transit operators, this work includes assessing how to identify and then secure rights of way, selection and negotiation with operators of the commuter service, and addressing regulatory, labor, and other issues that arise in the development and operation of urban rail systems. Where transit systems propose to share tracks with freight railroads, he advises the systems on compliance with Federal Railroad Administration rules and has secured waivers of those rules where the shared use involves "non-compliant" vehicles using the same tracks as freight or traditional passenger operators. He has negotiated with freight railroads and Amtrak on the acquisition of ownership or other rights to use rights-of-way as well as on arrangements for shared use of the corridors or tracks by freight, intercity passenger, regional/commuter passenger and light rail/transit operations. In addition, he has assisted these governments in addressing environmental, competitive, service quality and other issues.