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February 12, 2009

Top Hat Plan Exemption,
Employee Benefits Security Administration,
Room N-1513,
U.S. Department of Labor,
200 Constitution Avenue NW.
Washington, DC 20210

Dear Sir or Madam:

Genesee & Wyoming Inc. hereby supplies the following information pursuant to Labor Department Regulations Section 2520.104-23:

- A. Name and Address of Employer:
Genesee & Wyoming Inc.
66 Field Point Road
Greenwich, CT 06830
- B. Employer Identification Number:
06-0984624
- C. Genesee & Wyoming Inc. maintains the following plan primarily for the purpose of providing deferred compensation for a select group of highly compensated or management employees:

Number of Plans:	1
Name of Plan:	Genesee & Wyoming Inc. Amended and Restated 2004 Deferred Compensation Plan

Number of Employees in Plan:	26
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Genesee & Wyoming Inc., a Delaware corporation

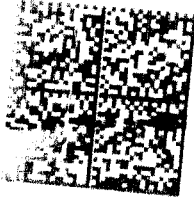
By *Sharon Magdoff*

Its VP- Organizational Effectiveness

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