

EMPLOYER STATUS DETERMINATION
The Ferdinand Corporation (FC)

This is a determination of the Railroad Retirement Board concerning the continuing status of The Ferdinand Corporation (FC), as an employer under the Railroad Retirement Act (45 U.S.C. §231 et seq.) and the Railroad Unemployment Insurance Act (45 U.S.C. §351 et seq.).

FC (BA # 3379) has been an employer under the Railroad Retirement Act and Railroad Unemployment Insurance Act since October 1, 1990. (See Notice No. 91-30, May 30, 1991.)

On March 19, 2008, in response to an inquiry letter dated March 12, 2008, Ms. Cinda Hoehn, an accountant with Melhiser Enders Tucker provided answers to a termination questionnaire and forwarded under separate cover copies of several documents showing FC's last IRS filings in 2006 which confirm that operations have ceased since sometime prior to 1999 and that the last three pieces of equipment were sold on May 26, 2006. Ms. Hoehn also forwarded other signed statements and documents indicating that FC has ceased operations. IRS form 1120 filed by FC in April of 2006, showed that FC generated no compensable employer taxes nor generated any gross income.

Section 202.11 (20 CFR 202.11) of the Board's regulations states that:

The employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status.

The evidence of record establishes that FC no longer possesses the characteristics of a railroad carrier employer within the United States. The Board therefore finds that effective May 26, 2006, the date FC sold its remaining assets, The Ferdinand Corporation ceased being a covered employer under the Railroad Retirement and Railroad Unemployment Insurance Act.

Original signed by:

FOR THE BOARD
Beatrice Ezerski
Secretary to the Board