

FreightCar America, Inc.  
Form 8-K  
June 25, 2008

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549  
FORM 8-K  
CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of  
the Securities Exchange Act of 1934  
Date of Report (Date of earliest event reported): June 19, 2008  
FREIGHTCAR AMERICA, INC.  
(Exact name of Registrant as specified in its charter)**

**Delaware**  
(State or other  
jurisdiction of  
incorporation)

**000-51237**  
(Commission File Number)

**25-1837219**  
(IRS Employer  
Identification  
Number)

**Two North Riverside Plaza, Suite 1250  
Chicago, Illinois**  
(Address of principal executive offices)

**60606**  
(Zip Code)

**(800) 458-2235**  
(Registrant's telephone number, including area code)

**N/A**  
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Section 8 Other Events**

**Item 8.01 Other Events.**

On June 24, 2008, FreightCar America, Inc. (the Company ) announced that it had reached a tentative settlement with representatives of the United Steelworkers of America (USWA) and the plaintiffs in the Sowers/Hayden litigation.

The settlement is subject to ratification by the Johnstown USWA membership in a vote scheduled to take place on Thursday, June 26<sup>th</sup> and to court approval.

A copy of the Company s press release is attached as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated herein by reference.

**Section 9 Financial Statements and Exhibits**

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

Exhibit 99.1      Press release of FreightCar America, Inc., dated June 24, 2008.

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

**FreightCar America, Inc.**

Date: June 24, 2008

By: /s/ Kevin P. Bagby  
Name: Kevin P. Bagby  
Title: Vice President, Finance, Chief  
Financial Officer and Treasurer

**EXHIBIT INDEX**

| <b>Exhibit No.</b> | <b>Document Description</b>                                     |
|--------------------|---|
| 99.1               | Press release of FreightCar America, Inc., dated June 24, 2008. |