

FreightCar America, Inc.  
Form 8-K  
November 20, 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): November 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 November 20, 2008, FreightCar America, Inc. (the Company ) announced that the settlement in the Sowers/Hayden class action litigation has received court approval. The Company s previously-announced global settlement relating to its Johnstown, Pennsylvania manufacturing facility was conditioned on court approval of this class action settlement. The global settlement resolves all pending legal disputes relating to the Company s Johnstown facility and its workforce.

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 November 20, 2008.

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: November 20, 2008

By: /s/ Laurence M. Trusdell

Name:

Laurence M. Trusdell

Title: General Counsel and Corporate  
Secretary

3

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**EXHIBIT INDEX**

**Exhibit No. Document Description**

99.1 Press release of FreightCar America, Inc., dated November 20, 2008.

**4**