Fitzpatrick Thomas Mallary Form 4 May 16, 2011

## FORM 4

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

OMB Number:

5. Relationship of Reporting Person(s) to

(Check all applicable)

Issuer

3235-0287

Expires: January 31, 2005

**OMB APPROVAL** 

Estimated average burden hours per response... 0.5

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Form 4 or Form 5 obligations may continue. See Instruction

Check this box

if no longer

subject to

Section 16.

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

2. Issuer Name and Ticker or Trading

FreightCar America, Inc. [RAIL]

Symbol

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person \*

Fitzpatrick Thomas Mallary

CHICAGO							(Check an applicable)						
CHICAGO, IL 60606   City   State   Common Stock	(Last) (First) (Middle)			3. Date of	3. Date of Earliest Transaction								
CHICAGO, IL 60606   CCity   (State)   (State)   (State)   (Zip)   Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned   (Month/Day/Year)   (Month/Day/Yea				(Month/D	ay/Year)				_X_ Director	10%	10% Owner		
CHICAGO   IL 60606   Security   Common   Stock	TWO RIVE	ERSIDE PLAZA	SUITE		•				Officer (give	er (specify			
CHICAGO   IL 60606   Filed   Month   Day   Year   Common Stock   Stack   Ostal   Ostal   Stack   Ostal   Ostal   Stack   Ostal   Ostal   Stack   Ostal   Ost			., 50112	03/13/2	011				below)	below)			
CHICAGO   IL 60606   CHICAGO	1230												
CHICAGO,   L 60606   City		(Street)			ndment, Da	te Origina	1		6. Individual or Joint/Group Filing(Check				
CHICAGO,   L 60606   City				Filed(Mor	nth/Day/Year	)			Applicable Line)				
CHICAGO, IL 60606   City   C				T Hea(Moi	ian Bayr i car	,			**				
City   (State   (Zip   Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned	CITICA CO	H (0(0)											
1. Title of Security (Instr. 3)  2. Transaction Date (Month/Day/Year) (Instr. 3)  2. Transaction Date (Execution Date, if any (Month/Day/Year) (Instr. 3)  Common Stock  C	CHICAGO	, IL 60606							•				
1. Title of Security (Instr. 3)  2. Transaction Date (Month/Day/Year) (Instr. 3)  2. Transaction Date (Execution Date, if any (Month/Day/Year) (Instr. 3)  Common Stock  C	(City)	(State)	(Zin)	<b></b>			a	•.•					
Security (Instr. 3)   (Month/Day/Year)   Execution Date, if any (Month/Day/Year)   (Instr. 3)   (Instr. 4)	Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned										lly Owned		
Security (Instr. 3)	1.Title of	2. Transaction Da	ate 2A. Dee	med	3.	4. Securi	ties A	cquired	5. Amount of	6. Ownership	7. Nature of		
Code   V   Amount   (D)   Owned   Following   Reported   Transaction(s)   (Instr. 4)	Security				*				Securities				
Month/Day/Year   (Instr. 8)	•	(		,			•						
Common Stock   O5/13/2011   S   D   S   S   S   S   S   S   S   S	(11101110)			Day/Year)		(1115011.0)			· · · · · · · · · · · · · · · · · · ·				
Common Stock         05/13/2011         S         500         D         \$ 27.74         6,785         D           Common Stock         05/13/2011         S         500         D         \$ 27.74         6,785         D           Common Stock         05/13/2011         S         100         D         \$ 27.76         6,285         D           Common Stock         05/13/2011         S         100         D         \$ 27.68         6,185         D           Common Stock         05/13/2011         S         204         D         \$ 5,981         D           Common O5/13/2011         S         100         D         \$ 5,881         D			(1.1011111)	24,71041)	(1110111 0)								
Common Stock         05/13/2011         S         500         D         \$ 27.74         6,785         D           Common Stock         05/13/2011         S         500         D         \$ 27.74         6,785         D           Common Stock         05/13/2011         S         100         D         \$ 27.68         6,185         D           Common Stock         05/13/2011         S         204         D         \$ 5,981         D           Common Stock         05/13/2011         S         100         D         \$ 5,881         D									_	(Ilisti: 1)	(Instr. 1)		
Common Stock         05/13/2011         S         500         D         \$ 27.74         6,785         D           Common Stock         05/13/2011         S         500         D         \$ 27.7         6,285         D           Common Stock         05/13/2011         S         100         D         \$ 27.68         6,185         D           Common Stock         05/13/2011         S         204         D         \$ 5,981         D           Common O5/13/2011         S         100         D         \$ 5,881         D				(A)			*						
Common Stock         05/13/2011         S         500         D         \$ 27.74         6,785         D           Common Stock         05/13/2011         S         500         D         \$ 27.7         6,285         D           Common Stock         05/13/2011         S         100         D         \$ 27.68         6,185         D           Common Stock         05/13/2011         S         204         D         \$ 5,981         D           Common O5/13/2011         S         100         D         \$ 5,881         D							or						
Stock       05/13/2011       S       500       D       27.74       6,785       D         Common Stock       05/13/2011       S       500       D       \$ 27.7       6,285       D         Common Stock       05/13/2011       S       100       D       \$ 27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common O5/13/2011       S       100       D       \$ 5,881       D					Code V	Amount	(D)	Price	(IIIsu. 3 and 4)				
Stock       05/13/2011       S       500       D       27.74       6,785       D         Common Stock       05/13/2011       S       500       D       \$ 27.7       6,285       D         Common Stock       05/13/2011       S       100       D       \$ 27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common O5/13/2011       S       100       D       \$ 5,881       D	Common							\$					
Common Stock       05/13/2011       S       500       D       \$ 27.7 6,285       D         Common Stock       05/13/2011       S       100       D       \$ 27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common O5/13/2011       S       100       D       \$ 5,881       D		05/13/2011			S	500	D		6,785	D			
Stock       05/13/2011       S       500       D       \$ 27.7 6,285       D         Common Stock       05/13/2011       S       100       D       \$ 27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common 05/13/2011       S       100       D       \$ 5,881       D	Stock							21.14					
Stock       05/13/2011       S       500       D       \$ 27.7 6,285       D         Common Stock       05/13/2011       S       100       D       \$ 27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common 05/13/2011       S       100       D       \$ 5,881       D	Common												
Common Stock       05/13/2011       S       100       D       \$ 27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common 05/13/2011       S       100       D       \$ 5,881       D		05/13/2011			S	500	D	\$ 27.7	6,285	D			
Stock       05/13/2011       S       100       D       27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common 05/13/2011       S       100       D       \$ 5,881       D	Stock												
Stock       05/13/2011       S       100       D       27.68       6,185       D         Common Stock       05/13/2011       S       204       D       \$ 5,981       D         Common 05/13/2011       S       100       D       \$ 5,881       D	Common							<b>¢</b>					
Common Stock		05/13/2011			S	100	D	<b>Þ</b>	6.185	D			
Common 05/13/2011 S 100 D \$ 5.881 D	Stock							27.68	-,				
Common 05/13/2011 S 100 D \$ 5.881 D								Ф					
Common 05/13/2011 S 100 D \$ 5.881 D	Common	05/13/2011			S	204	D	\$	5 981	D			
05/13/2011	Stock	03/13/2011			S	201	2	27.68	3,701	D			
05/13/2011	~												
Stock 27.68 3,001	Common	05/13/2011			S	100	D	\$	5 881	D			
510CK	Stock	03/13/2011			J	100	ט	27.68	5,001	D			

#### Edgar Filing: Fitzpatrick Thomas Mallary - Form 4

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

**SEC 1474** 

(9-02)

9. Nu Deriv Secur Bene

Follo Repo Trans (Insti

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

	1. Title of	2.	3. Transaction Date	3A. Deemed	4.	5.	6. Date Exerc	isable and	7. Titl	e and	8. Price of	9
	Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transaction	orNumber	Expiration Date		Amount of		Derivative	J
	Security	or Exercise		any	Code	of	(Month/Day/	Year)	Under	lying	Security	,
	(Instr. 3)	Price of		(Month/Day/Year)	(Instr. 8)	Derivative	e		Securi	ities	(Instr. 5)	]
		Derivative				Securities			(Instr.	3 and 4)		(
		Security				Acquired						]
						(A) or						J
						Disposed						-
						of (D)						(
						(Instr. 3,						
						4, and 5)						
										A		
										Amount		
							Date	Expiration	m: .1	or		
						Exercisable	Date	Title	Number			
					C 1 17	(A) (D)				of		
					Code V	(A) (D)				Shares		

### **Reporting Owners**

Reporting Owner Name / Address

Director 10% Owner Officer Other

Fitzpatrick Thomas Mallary TWO RIVERSIDE PLAZA, SUITE 1250 X CHICAGO, IL 60606

#### **Signatures**

/s/ Laurence M. Trusdell, as attorney in fact

05/16/2011

Date

\*\*Signature of Reporting Person

#### **Explanation of Responses:**

\* If the form is filed by more than one reporting person, see Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

Reporting Owners 2