

UNION PACIFIC RAILROAD COMPANY, STB DOCKET NO. EP 772, PRIVILEGE LOG

ENTERED

Request No.	Doc. Type	Doc. Date	From (Author/Sender)	To (Recipient(s))	Copied	Office of Proceedings Subject June 14, 2023 Part of Public Record	Privilege Asserted	Nature and brief description of document
7	Email	9/26/2022	Craig Richardson*	Michael Rosenthal**	James Boles*, Micki Zoucha*	"CIMS 2.0" Pilot	Attorney-Client Privilege	Email chain containing confidential communication for the purpose of securing legal advice and confidential legal advice regarding proposed changes to embargo process.
7	Email	11/15/2022	Bradley Moore	James Boles*	Craig Richardson*, Tonya Conley*, Micki Zoucha*, Eric Gehringer, John Turner, Pete Decher	Advice on Excess Inventory Approach	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting confidential communication for the purpose of securing legal advice and containing confidential legal advice regarding the use of embargoes to address excess inventory in anticipation of regulatory action.
7	Email	11/16/2022	Craig Richardson*	James Boles*, Tonya Conley*	Micki Zoucha*	Inventory Reduction Effort 11-15 Update	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting and containing confidential communication for the purpose of securing legal advice and containing and discussing confidential advice regarding the use of embargoes to address excess inventory in anticipation of regulatory action.
7	Email	5/6/2022	James Boles*	Craig Richardson*, Michael Rosenthal**	Micki Zoucha*	Urgent - PNW Plan	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting and containing confidential communication for the purpose of securing legal advice and containing confidential legal advice regarding legal justifications for embargoes in anticipation of regulatory action.
7	Email	5/6/2022	Eric Gehringer	John Turner		Urgent - PNW Plan	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting and containing confidential communication for the purpose of securing legal advice from UP in-house attorney, Craig Richardson*, regarding legal justifications for embargoes in anticipation of regulatory action.
7	Email	10/15/2021	James Boles*	Craig Richardson*, Jeremy Berman*		Embargo Guidance	Attorney-Client Privilege	Email chain reflecting confidential communication for the purpose of securing legal advice and containing confidential legal advice regarding guidelines for use of embargoes.
7	Email	4/10/2022	Craig Richardson*	Kenny Rocker, Eric Gehringer	John Turner	Private car embargo issue	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting and containing confidential communication for the purpose of securing legal advice and containing confidential legal advice regarding use of embargoes in anticipation of regulatory action by a group of customers.
7	Email	4/10/2022	Craig Richardson*	James Boles*, Michael Rosenthal**		Private car embargo issue	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting and containing confidential communication for the purpose of securing legal advice and containing confidential legal advice regarding use of embargoes in anticipation of regulatory action by a group of customers.
7	Email	5/17/2022	James Boles*	Jason Hess	Craig Richardson*, Toney Conley*, Tanya Spratt*, Kenny Rocker	Gavilon Letter	Attorney-Client Privilege; Attorney Work Product	Email chain reflecting and containing confidential communication for purpose of securing legal advice and containing confidential legal advice regarding use of embargoes in anticipation of regulatory action.
7	Email	3/6/2017	Jennifer Hamann	Roland Fortner		Legal question regarding tactical operations	Attorney-Client Privilege	Email chain containing confidential communication to UP in-house attorney, Madeline Roebke*, for the purpose of securing legal advice regarding the use of embargoes at capacity constrained facilities.
7	Email	3/10/2017	Madeline Roebke*	Roland Fortner	Elisa Davies*, Jeremy Berman*, Benita Gibson, Beth Franksman, Sean	Legal question regarding tactical operations	Attorney-Client Privilege	Email chain containing confidential communication to UP in-house attorney for the purpose of securing legal advice and confidential legal advice regarding the use of embargoes at capacity constrained facilities.
7	Email	3/6/2017	Paul Borseth	Roland Fortner	Jennifer Hamann, Benita Gibson, Diana Evans, Sean Frazier, Beth	Legal question regarding tactical operations	Attorney-Client Privilege	Email chain containing confidential communication to UP in-house attorney, Madeline Roebke*, for the purpose of securing legal advice regarding the use of embargoes at capacity constrained facilities.
7	Email	3/8/2017	Roland Fortner	Madeline Roebke*	Elisa Davies*, Benita Gibson, Beth Franksman, Sean	Legal question regarding tactical operations	Attorney-Client Privilege	Email chain containing confidential communications to UP in-house attorney for the purpose of securing legal advice regarding the use of embargoes at capacity constrained facilities.
7	Email	8/10/2021	Jeremy Berman*	James Boles*		Embargo Actions	Attorney-Client Privilege	Email chain containing confidential communication for the purpose of securing legal advice regarding potential changes to use of embargoes.
7	Email w/Att.	4/1/2022	James Boles*	Tanya Spratt*	Tonya Conley*, Whitney Larkin*, Lori Casey*	Embargoes	Attorney-Client Privilege	Email chain reflecting confidential communication for the purpose of securing legal advice regarding use of embargoes and containing confidential legal advice regarding use of embargoes in attached copies of old legal memos providing confidential legal advice from outside counsel Michael Rosenthal** and Arvid Roach**.
7	Email	11/9/2022	James Boles*	Tanya Spratt*	Tonya Conley*	Embargo review	Attorney-Client Privilege	Email chain reflecting confidential communication for purpose of securing legal advice and conveying legal advice from outside counsel, Michael Rosenthal**, regarding use of embargoes.
7	Email	12/14/2022	James Boles*	Tonya Conley*, Tanya Spratt*, Whitney Larkin*, Lori Casey*		Common Carrier & Embargoes	Attorney-Client Privilege	Email chain reflecting confidential communication for purpose of securing legal advice and containing confidential legal advice from outside counsel, Michael Rosenthal**, regarding use of embargoes.

Notes:

*= Union Pacific in-house counsel, legal assistant, or executive assistant to Union Pacific in-house counsel

**=Outside counsel for Union Pacific