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October 13, 2026

312697

ENTERED
Office of Chief Counsel
October 14, 2026
Part of
Public Record

BY ELECTRONIC FILING

Hon. Jenifer J. Soulikias
Administrative Law Judge
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423-0001

Re: Finance Docket No. 36873 – Amended Notice of Filing Proposed Subpoena for Deposition of Lance Fritz

Dear Judge Soulikias:

On October 8, 2026, Canadian Pacific Railway Company d/b/a Canadian Pacific Kansas City and CPKC, on behalf of itself and its U.S. rail carrier subsidiaries (collectively "CPKC"),[1] filed a Notice of Filing of Proposed Subpoena for the deposition of Lance Fritz. *See* CPKC-59. Since that filing, CPKC and counsel for Mr. Fritz have conferred and have agreed that Mr. Fritz's deposition will take place on November 3, 2026 at 8:00 AM prevailing Central Time at the offices of Baird Holm LLP, 1700 Farnam Street #1500, Omaha, NE 68102. Accordingly, CPKC respectfully requests that Your Honor issue the amended proposed subpoena for the deposition of Mr. Fritz attached hereto as Exhibit A.

[1] CPKC's U.S. rail carrier subsidiaries include Soo Line Railroad Company; Central Maine & Quebec Railway US Inc.; Dakota, Minnesota & Eastern Railroad Corporation; Delaware & Hudson Railway Company, Inc.; The Kansas City Southern Railway Company; Gateway Eastern Railway Company; and The Texas Mexican Railway Company.

Respectfully submitted,

/s/ *Joseph J. Matelis*
Joseph J. Matelis
Attorney for CPKC

cc: All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that, on this 13th day of October 2026, a true and correct copy of the foregoing was served by first-class mail or email on all parties of record in this proceeding, the Secretary of Transportation, the Attorney General of the United States, and Administrative Law Judge Jenifer J. Soulikias.

/s/ *Julian M. Keeley*
Julian M. Keeley

EXHIBIT A

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 36873

UNION PACIFIC CORPORATION AND
UNION PACIFIC RAILROAD COMPANY
—CONTROL—
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY

SUBPOENA TO LANCE FRITZ FOR DEPOSITION TESTIMONY

To: Lance Fritz
c/o Kevin Kelly
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001

Pursuant to the rules of the Surface Transportation Board governing discovery, 49 C.F.R. § 1114, *et seq.*, the Board's statutory authority to subpoena witnesses, 49 U.S.C. § 1321, and by Order of the Board:

YOU ARE HEREBY COMMANDED to appear, unless otherwise agreed by the parties, at the offices of Baird Holm LLP, 1700 Farnam Street #1500, Omaha, NE 68102 at 8:00 AM prevailing Central Time November 3, 2026, to provide testimony by oral deposition at the request of Canadian Pacific Railway Company d/b/a Canadian Pacific Kansas City and CPKC, on behalf of itself and its U.S. rail carrier subsidiaries, in the above-captioned proceeding. The date, time and location of the deposition may be modified by mutual agreement, consistent with the procedures for scheduling depositions set forth in the Discovery Guidelines entered in the above-captioned proceeding. *See* Decision No. 24 (served June 18, 2026). The deposition will

be in person and recorded by stenographic means and videotape. The deposition will be taken before a Notary Public or other officer authorized by law to administer oaths. The deposition is anticipated to be completed within seven hours.

DATED:

Administrative Law Judge Jenifer J. Soulikias: _____