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**BEFORE THE
SURFACE TRANSPORTATION BOARD
DOCKET NO. FD 36496**

**APPLICATION OF THE NATIONAL RAILROAD PASSENGER
CORPORATION UNDER 49 U.S.C. § 24308(e) – CSX
TRANSPORTATION, INC. AND NORFOLK SOUTHERN
CORPORATION**

JOINT WITNESS LIST

Pursuant to its October 28, 2022 Decision, the Board instructed the National Railroad Passenger Corporation, CSX Transportation, Inc., Norfolk Southern Railway Company, and the Alabama State Port Authority and its rail carrier division, the Terminal Railway Alabama State Docks (together, the “Parties”) to submit “lists of witnesses (1) whom they intend to call for direct examination at the evidentiary hearing, and (2) whom they request an opportunity to cross-examine.”¹ The Parties have mutually agreed that they will not call any witnesses for direct examination or cross examination,² and instead request that any reconvened

¹ Decision at 2, *Application of the Nat’l Passenger R.R. Corp. Under 49 U.S.C. § 24308(e)—CSX Transp., Inc. and Norfolk S. Ry. (“Gulf Coast Proceeding”)*, STB Docket No. FD 36496 (served Oct. 28, 2022).

² The Parties’ decision not to call any witnesses for direct or cross examination concerning supplemental evidence is intended to expedite these proceedings and does not constitute a waiver of any Party’s due process rights in this proceeding or to present or cross examine witnesses during any future proceedings under 49 U.S.C. § 24308(e). The Parties also do not waive their rights to file any further motions or briefs that may be necessary or that are required by the Board.

hearing only consist of closing arguments, which the Board has recognized are necessary.³

Respectfully submitted,

/s/ Jessica Ring Amunson
Jessica Ring Amunson
Kali N. Bracey
Alex S. Trepp
JENNER & BLOCK LLP
1099 New York Ave., NW
Suite 900
Washington, DC 20001
(202) 639-6000
jamunson@jenner.com
kbracey@jenner.com
atrepp@jenner.com

*Counsel for National Railroad
Passenger Corporation*

/s/ William A. Mullins
William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Avenue
Suite 300
Washington, DC 20037
(202) 663-7823
wmullins@bakerandmiller.com
czorbaugh@bakerandmiller.com

*Counsel for Norfolk Southern Railway
Company*

/s/ Raymond A. Atkins
Raymond A. Atkins
Matthew J. Warren
SIDLEY AUSTIN LLP
1501 K Street, NW
Washington, DC 20005
(202) 736-8000
ratkins@sidley.com
mjwarren@sidley.com

Counsel for CSX Transportation, Inc.

/s/ Robert A. Wimbish
Robert A. Wimbish
James D. Helenhouse
Thomas J. Litwiler
Stephen J. Foland
FLETCHER & SIPPEL LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500
rwimbish@fletcher-sippel.com
jhelenhouse@fletcher-sippel.com
tlitwiler@fletcher-sippel.com
sfoland@fletcher-sippel.com

*Counsel for Alabama State
Port Authority and Terminal
Railway Alabama State Docks*

Dated: November 10, 2022

³ See Decision at 2, *Gulf Coast Proceeding*, STB Docket No. FD 36496 (served Mar. 23, 2022) (stating that the evidentiary hearing would “conclude[e] with the Parties’ closing arguments”); Decision at 2, *Gulf Coast Proceeding*, STB Docket No. FD 36496 (served Oct. 28, 2022) (stating that the hearing will continue and including “presenting closing arguments”).

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of November 2022, a copy of the foregoing Joint Witness List was served by email or first-class mail on the service list for Finance Docket No. 36496.

/s/ Raymond A. Atkins

Raymond A. Atkins
SIDLEY AUSTIN LLP