

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

246912

NORTH AMERICA FREIGHT CAR
ASSOCIATION; AMERICAN FUEL &
PETROCHEMICALS MANUFACTURERS;
THE CHLORINE INSTITUTE; THE
FERTILIZER INSTITUTE; AMERICAN
CHEMISTRY COUNCIL; ETHANOL
PRODUCTS, LLC D/B/A POET ETHANOL
PRODUCTS; POET NUTRITION, INC.; and
CARGILL INCORPORATED,

Complainants,

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

ENTERED
Office of Proceedings
December 13, 2018
Part of
Public Record

STB Docket Nos. NOR 42144, *et al.*
(Consolidated)

UNION PACIFIC'S BI-WEEKLY STATUS REPORT FOR DECEMBER 13, 2018

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December 13, 2018

NORTH AMERICA FREIGHT CAR	)	
ASSOCIATION; AMERICAN FUEL &	)	
PETROCHEMICALS MANUFACTURERS;	)	
THE CHLORINE INSTITUTE; THE	)	
FERTILIZER INSTITUTE; AMERICAN	)	
CHEMISTRY COUNCIL; ETHANOL	)	
PRODUCTS, LLC D/B/A POET ETHANOL	)	
PRODUCTS; POET NUTRITION, INC.; and	)	STB Docket Nos. NOR 42144, <i>et al.</i>
CARGILL INCORPORATED,	)	(Consolidated)
	)	
Complainants,	)	
	)	
v.	)	
	)	
UNION PACIFIC RAILROAD COMPANY,	)	
	)	
Defendant.	)	
	)	

In accordance with the May 4, 2018, order of Administrative Law Judge John P. Dring, Union Pacific submits the following discovery status report.

Union Pacific recently submitted a small number of requests to several Complainants seeking answers to some narrowly-drawn questions regarding tank car data they produced in discovery. The Complainants have now responded to those requests.

Union Pacific believed it had completed its production of documents long ago. However, Union Pacific recently identified a population of documents that was not included in the original

search. Union Pacific is in the process of completing its supplemental search and expects to complete any supplemental production before the end of the year.

C. Depositions

All depositions have been completed. All of the depositions were initially designated as “Highly Confidential.” Union Pacific and the Complainants have been discussing the process for reclassifying portions of the deposition transcripts so in-house personnel can participate more fully in the development of the arguments and evidence in this proceeding.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of December, 2018, I caused a copy of the foregoing document to be served by e-mail on counsel for all parties of record in NOR 42144, NOR 42150, NOR 42152, and NOR 42153.

/s/ Michael L. Rosenthal
Michael L. Rosenthal