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DEPARTMENT OF JUSTICE



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October 16, 2022

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

305485
ENTERED
Office of Proceedings
October 17, 2022
Part of
Public Record

**RE: North Coast Railroad Authority – Abandonment Exemption – in Mendocino,
Trinity, and Humboldt Counties, CA | AB 1305X**

**California Coastal Commission's Executed Exhibits A and B Undertakings of
Protective Order**

Dear Ms. Brown:

Our office represents the California Coastal Commission in the above referenced proceeding and respectfully submits the following documents for filing:

(1) Executed version of the Exhibit A undertaking of the protective order issued by the Surface Transportation Board on October 13, 2022.

(2) Executed version of the Exhibit B undertaking of the protective order issued by the Surface Transportation Board on October 13, 2022.

By my signature below, I certify service on October 16, 2022, upon all parties currently listed in the Surface Transportation Board's docket list for this docket by e-mail attachment.

Sincerely,

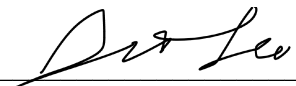
A handwritten signature in black ink, appearing to read "Justin J. Lee".

JUSTIN J. LEE
Deputy Attorney General
For California Coastal Commission

Exhibit A**UNDERTAKING—CONFIDENTIAL MATERIAL**

I, Justin J. Lee, have read the Protective Order governing the production and use of Confidential Information and Confidential Documents in Docket No. AB 1305X, understand the same, and agree to be bound by its terms. I agree not to use or permit the use of any Confidential Information or Confidential Documents obtained pursuant to that Protective Order, or to use or to permit the use of any methodologies or techniques disclosed or information learned as a result of receiving such data or information, for any purpose other than the preparation and presentation of evidence and argument in Docket No. AB 1305X, and/or in any related proceedings. I further agree not to disclose any Confidential Information, Confidential Documents, methodologies, techniques, or data obtained pursuant to the Protective Order except to persons who are also bound by the terms of the Order and who have executed Undertakings in the form hereof, and that at the conclusion of this Proceeding (including any proceeding or administrative review, judicial review, or remand), I will promptly destroy any documents containing or reflecting materials designated or stamped as “CONFIDENTIAL,” other than file copies, kept by outside counsel, of pleadings and other documents filed with the Board.

I understand and agree that money damages would not be a sufficient remedy for breach of this Undertaking and that parties producing confidential information or confidential documents shall be entitled to specific performance and injunctive and/or other equitable relief as a remedy for any such breach, and I further agree to waive any requirement for the securing or posting of any bond in connection with such remedy. Such remedy shall not be deemed to be the exclusive remedy for breach of this Undertaking but shall be in addition to all remedies available at law or equity.

Signed: 

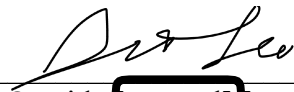
Dated: 10/16/2022

Exhibit B**UNDERTAKING—HIGHLY CONFIDENTIAL MATERIAL**

I, Justin J. Lee, am outside **counsel** [consultant] for California Coastal Commission, for whom I am acting in this proceeding. I have read the Protective Order governing the production and use of Confidential Information and Confidential Documents in Docket No. AB 1305X, understand the same, and agree to be bound by its terms. I agree not to use or to permit the use of any Confidential Information or Confidential Documents obtained pursuant to that Protective Order, or to use or to permit the use of any methodologies or techniques disclosed or information learned as a result of receiving such data or information, for any purpose other than the preparation and presentation of evidence and argument in Docket No. AB 1305X, and any related proceedings before the Surface Transportation Board, or any judicial review proceedings in connection with Docket No. AB 1305X, and/or with any related proceedings. I further agree not to disclose any Confidential Information, Confidential Documents, methodologies, techniques, or data obtained pursuant to the Protective Order except to persons who are also bound by the terms of the Order and who have executed undertakings in the form hereof.

I also understand and agree, as a condition precedent to my receiving, reviewing, or using copies of any information or documents designated or stamped as “HIGHLY CONFIDENTIAL,” that I will take all necessary steps to assure that said information or documents be kept on a confidential basis by any outside counsel or outside consultants working with me, that under no circumstances will I permit access to said materials or information by employees of my client or its subsidiaries, affiliates, or owners, and that at the conclusion of this proceeding (including any proceeding on administrative review, judicial review, or remand), I will promptly destroy any documents containing or reflecting information or documents designated or stamped as “HIGHLY CONFIDENTIAL,” other than file copies, kept by outside counsel, of pleadings and other documents filed with the Board.

I understand and agree that money damages would not be a sufficient remedy for breach of this undertaking and that parties producing confidential information or confidential documents shall be entitled to specific performance and injunctive and/or other equitable relief as a remedy for such breach, and I further agree to waive any requirement for the securing or posting of any bond in connection with such remedy. Such remedy shall not be deemed to be the exclusive remedy for breach of this Undertaking but shall be in addition to all remedies available at law or equity.

Signed: 
Outside **counsel** [consultant]

Dated: 10/16/2022