

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
June 28, 2018
Part of
Public Record

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.

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

UNION PACIFIC'S BI-WEEKLY STATUS REPORT FOR JUNE 28, 2018

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June 28, 2018

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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.

After reviewing documents produced by Arkema, Union Pacific asked Arkema several follow-up questions about Arkema's document production process. As a result of the questions, Arkema identified additional responsive documents. Arkema has produced some of those documents, but Union Pacific understands that Arkema still intends to produce additional documents. In addition, based a review of the first set of additional documents produced by Arkema, Union Pacific may have additional follow-up questions about Arkema's document production process.

B. Document Production By Union Pacific

Union Pacific has completed its production of documents and other information.

C. Depositions

As discussed above, Union Pacific understands that Arkema has identified additional, responsive documents that have not yet been produced. In addition, Union Pacific has not yet received Arkema's privilege log. Union Pacific has been hopeful it will be able to depose an Arkema witness in early July. However, Union Pacific cannot agree to a deposition date until Arkema completes its document production and produces its privilege log, and until Union Pacific has had time to review that material and resolve any additional questions that arise.

Respectfully submitted,

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June 28, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of June, 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 and on the Honorable John P. Dring of the Federal Energy Regulatory Commission.

/s/ Michael L. Rosenthal
Michael L. Rosenthal