

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

245004

ENTERED
Office of Proceedings
January 18, 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.

NOR 42144, *et al.*
(consolidated)

COMPLAINANTS' BI-WEEKLY STATUS REPORT

Pursuant to the Decision served in this case on March 3, 2017, the Complainants in NOR 42144 hereby submit the following report on the status of discovery in their docket:

Cargill is reviewing its files and preparing a response to the letter from UP counsel on October 24, 2017 containing numerous requests for additional information relating to the depositions of Cargill employees and otherwise. Cargill will provide responses to UP's inquiries and produce additional documents on January 19, 2017.

By letter to UP counsel dated December 12, 2017, Complainants requested that UP update several of its discovery responses. The parties subsequently agreed to the scope of UP's supplemental production, and that UP would produce the additional material by January 31, 2018.

There are no other outstanding discovery issues at this time.

Respectfully submitted,



Thomas W. Wilcox, Esq.
David K. Monroe, Esq.
Svetlana Lyubchenko, Esq.
GKG Law, P.C.
The Foundry Building
1055 Thomas Jefferson Street NW
Suite 500
Washington, DC 20007
(202) 342-5248

*Counsel for North America
Freight Car Association; Ethanol Products,
LLC d/b/a POET Ethanol Products;
POET Nutrition, Inc., and Cargill,
Incorporated*



Houston Shaner, Esq.
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
(202) 637-5558

*Counsel for American Fuel &
Petrochemical Manufacturers*



Paul M. Donovan, Esq.
LaRoe, Winn, Moerman & Donovan
1250 Connecticut Avenue, N.W., Suite 200
Washington, DC 20036
(202) 298-8100

Counsel for The Chlorine Institute



Jeffrey O. Moreno, Esq.
Thompson Hine LLP
1919 M Street, NW Suite 700
Washington, DC 20036
(202) 263-4107

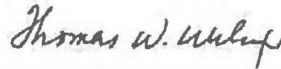
*Counsel for The Fertilizer Institute and the
American Chemistry Council*

Dated: January 18, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of January, 2018, I caused a copy of the foregoing document to be served by first-class mail, postage prepaid, or a more expeditious manner of delivery, on all of the parties of record in NOR 42144, *et al* (consolidated).

I also caused a copy of the foregoing document to be served by email on Administrative Law Judge John P. Dring, Federal Energy Regulatory Commission Office of Administrative Law Judges, 888 First Street, N.E., Washington DC 20426.



Thomas W. Wilcox