

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
January 23, 2014
Part of
Public Record

STB Docket No. AB-6 (Sub-No. 465X)

**BNSF RAILWAY COMPANY – ABANDONMENT EXEMPTION – IN KING COUNTY,
WASHINGTON (Woodinville Subdivision)**

STB Finance Docket No. 35731

**BALLARD TERMINAL RAILROAD COMPANY, L.L.C. – ACQUISITION AND
OPERATION EXEMPTION – WOODINVILLE SUBDIVISION – VERIFIED PETITION
FOR EXEMPTION PURSUANT TO 49 U.S.C. § 10502**

**SUPPLEMENTAL BRIEF IN SUPPORT OF THE MOTION OF THE CITY OF
KIRKLAND, WASHINGTON, KING COUNTY, WASHINGTON, AND CENTRAL
PUGET SOUND REGIONAL TRANSIT AUTHORITY TO (1) ISSUE DEPOSITION
SUBPOENAS ON AMERICANWEST BANK AND COASTAL COMMUNITY BANK, (2)
ENTER A MODIFIED PROCEDURAL SCHEDULE, AND (3) GIVE THIS MOTION
EXPEDITED CONSIDERATION**

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Counsel for King County, Washington and
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Dated: January 23, 2014

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Shortly after the Regional Parties filed their motion for the issuance of deposition subpoenas referenced in the above caption, a representative for Coastal Community Bank contacted Kirkland’s counsel and indicated that Coastal Community Bank “would not oppose” the motion. Accordingly, both Coastal Community Bank and AmericanWest Bank have confirmed that they will not oppose the Regional Parties’ motions for issuance of subpoenas.

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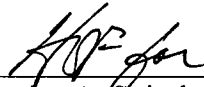
Respectfully submitted,



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Dated: January 23, 2014



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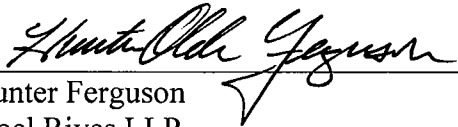
CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the of the foregoing Supplemental Brief in Support of the Motion of the City of Kirkland, Washington, King County, Washington, and Central Puget Sound Regional Transit Authority to (1) Issue Deposition Subpoenas on American West Bank and Coastal Community Bank, (2) Enter a Modified Procedural Schedule, and (3) Give This Motion Expedited Consideration to be served upon the following parties of record and other interested persons on January 23, 2014, in the manner indicated below:

Jordan Wagner Jennifer Belk Central Puget Sound Regional Transit Authority 401 S. Jackson Street Seattle, WA 98104 <i>Attorneys for Central Puget Sound Regional Transit Authority</i>	Service by: ☐ hand delivery via messenger ☒ mailing with postage prepaid ☒ copy via email ☐ facsimile
Myles L. Tobin, Esq. Thomas J. Litwiler Thomas C. Paschalis Fletcher & Sippel LLC 29 North Wacker Drive Suite 920 Chicago, IL 60606-2832 <i>Attorneys for Ballard Terminal Railway LLC</i>	Service by: ☐ hand delivery via messenger ☒ mailing with postage prepaid ☒ copy via email ☐ facsimile
Tom Montgomery Montgomery Scarp PLLC 1218 3rd Ave # 2700 Seattle, WA 98101 <i>Attorneys for Ballard Terminal Railway LLC</i>	Service by: ☐ hand delivery via messenger ☒ mailing with postage prepaid ☒ copy via email ☐ facsimile

Pete Ramels Andrew Marcuse Office of the Prosecuting Attorney—Civil Division W400 King County Courthouse 516 Third Avenue Seattle, WA 98104 <i>Attorneys for King County</i>	Service by: ☐ hand delivery via messenger ☒ mailing with postage prepaid ☒ copy via email ☐ facsimile
Charles A. Spitulnik W. Eric Pilsk Allison Fultz Kaplan Kirsch & Rockwell LLP 1001 Connecticut Avenue, NW, Suite 800 Washington, DC 20036 <i>Attorneys for King County</i>	Service by: ☐ hand delivery via messenger ☒ mailing with postage prepaid ☒ copy via email ☐ facsimile
AmericanWest Bank Attn: Nathan Engman 2237 NW 57th Street Seattle, WA 98107 Phone: (206) 784-2200 Fax: (206) 784-6650	☒ U.S. Mail ☐ Hand Delivery/Messenger ☐ Email ☒ Facsimile
AmericanWest Bank Attn: Ashley Sargeant Senior Operations Analyst Craig Moore Deputy General Counsel 110 South Ferrall Street Spokane, WA 99202 ashley.sargeant@awbank.net craig.moore@awbank.net	☒ U.S. Mail ☐ Hand Delivery/Messenger ☒ Email ☐ Facsimile
Coastal Community Bank – Colby Branch Attn: Greg Starup VP, Mgr. SBA Lending Unit 2817 Colby Avenue Everett, WA 98201 Phone: (425) 258-5299 Fax: (425) 257-0521	☒ U.S. Mail ☐ Hand Delivery/Messenger ☐ Email ☒ Facsimile

Coastal Community Bank Attn: Angela Anderson VP Operations/ISO 16419 Smokey Point Blvd. Arlington, WA 98223 Fax: 360-436-4991 angela@coastalbank.com	☒ U.S. Mail ☐ Hand Delivery/Messenger ☒ Email ☒ Facsimile
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Hunter Ferguson
Stoel Rives LLP
Counsel for the City of Kirkland

Dated this 23d day of January, 2014