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ENTERED
Office of Proceedings
June 15, 2021
Part of
Public Record

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June 15, 2021

VIA ELECTRONIC FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: **Lake Providence Port Commission – Feeder Line Application – Line of
Delta Southern Railroad Located in East Carroll and Madison Parishes,
Louisiana, FD 36447**

Dear Ms. Brown:

Pursuant to the Surface Transportation Board's June 1, 2021 order in this docket, Delta Southern Railroad, Inc. ("DSR") hereby reports on – (1) DSR's willingness to participate in Board-sponsored mediation; and (2) outstanding discovery issues remaining. Based on discussion with counsel for the "Other Parties" to this proceeding – specifically, Lake Providence Port Commission, North Louisiana & Arkansas Railroad, and Southeast Arkansas Economic Development District, Inc. – DSR anticipates that the Other Parties will separately (and collectively) file a status report of their own today.

DSR is amenable to participating in Board-sponsored mediation, and will participate willingly if mediation is ordered.

Concerning outstanding discovery issues, counsel for the parties have engaged in significant discussions over the past week. DSR believes that some of its outstanding concerns regarding the Other Parties' compliance with the Board's discovery procedures have been resolved, but not all. Counsel for the Other Parties has advised that DSR should expect to receive updated discovery responses later today, including documents that may be subject to non-disclosure under the terms of an appropriate protective order. Relatedly, DSR understands that the Other Parties will file shortly (if not today) a motion for Board issuance of a protective

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order in connection with previously-mentioned document production. Upon receipt of these materials from the Other Parties, DSR will advise the Board whether discovery has been completed satisfactorily, or, if necessary, DSR will seek production via a motion to compel.

Very truly yours,

Thomas J. Healey

Thomas J. Healey

TJH/dg

cc: All parties of record