

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

304819

ENTERED
Office of Proceedings
June 22, 2022
Part of
Public Record

Docket No. FD 36609

**FOSTER POULTRY FARMS – *EX PARTE* APPLICATION
FOR EMERGENCY SERVICE ORDER**

CORRECTION

Foster Poultry Farms (“Foster Farms”) hereby files this pleading to correct a factual assertion in its Response to Union Pacific Railroad Company’s (“UP”) Reply to Foster Farms’ *Ex Parte* Petition for Emergency Service Order. Specifically, the Response reflects an interpretation of part of the Verified Statement of Bradley S. Moore to mean the “estimated time of arrival (ETA)” of trains F11 and F12 was the ETA for their arrival at the Traver and Turlock facilities on June 17 and June 19, 2022, respectively. Upon receipt of Foster Farms’ Response counsel for UP informed the undersigned counsel for Foster Farms that Mr. Moore was referring to the ETA for the unit trains’ arrival at the loading locations Mr. Moore identified. While Mr. Moore’s statement was somewhat ambiguous on this point, Foster Farms concurs with UP’s interpretation upon further review.

Foster Farms notes that this correction does not change the fact that only one unit train was delivered to the two facilities between June 17 and June 20, or the other factual statements in the

Response as to the adverse effects of receiving only one unit train during that time period. Nor does it alter the Response's conclusions and request for continued Board jurisdiction over this matter.

Respectfully submitted,



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June 22, 2022

CERTIFICATE OF SERVICE

I hereby certify that on this 22th day of June 2022, I served a copy of the foregoing Correction to Foster Poultry Farms' Response to Union Pacific Railroad Company's Reply to *Ex Parte* Petition for Emergency Service Order by electronic mail upon the Chief Legal Officer for Union Pacific Railroad Company, as follows:

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