

MULLINS LAW GROUP PLLC*Transportation Solutions for the 21st Century*2001 L Street NW, Suite 720
Washington, DC 20036Crystal M. Zorbaugh
czorbaugh@mullinslawgroup.net
mullinslawgroup.netTelephone: (202) 663-7850
Direct: (202) 663-7831
Facsimile: (202) 464-9123**September 5, 2025**

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Via E-Filing and EmailAdministrative Law Judge Soulikias
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001
Email: alj.soulikias.inbox@stb.govENTERED
Office of Chief Counsel
September 5, 2025
Part of
Public RecordRe: Norfolk Southern Railway Company – Control Acquisition – Norfolk & Portsmouth Belt
Line Railroad Company, FD 36836,
Revised Discovery Requests to VIT and VPA

Dear Judge Soulikias:

Per your decision served August 27, 2025, you directed Norfolk Southern Corporation and Norfolk Southern Railway Company (“Norfolk Southern”) and the Virginia Port Authority d/b/a Port of Virginia (“VPA”) and the Virginia International Terminals, LLC d/b/a Port of Virginia (“VIT”) to meet and confer to see if the three parties could resolve their underlying discovery disputes. Norfolk Southern is pleased to provide an update. Norfolk Southern, VPA, and VIT have diligently and in good faith held three meet and confers on August 29, 2025, September 3, 2025, and September 5, 2025, and exchanged multiple emails and documents. While VPA and VIT continue to retain and reserve (have not waived) all arguments and objections stated in VIT and VPA’s earlier responses and in their opposition to NS’s motion to compel, and Norfolk Southern likewise continues to retain all arguments and objections raised by it in response to the discovery served on VPA and VIT, the parties appear to have reached an agreement on narrowed discovery with discovery production to commence as soon as possible. Given this positive development, Norfolk Southern respectfully requests that its motion to compel be held in abeyance while Norfolk Southern, VPA, and VIT work collaboratively to complete discovery. Norfolk Southern, VPA, and VIT thank the Board and ALJ Soulikias for encouraging the parties to work to resolve their issues independently. If there are any questions about this matter, please contact me directly, either by telephone: 202-663-7831 or by e-mail: czorbaugh@mullinslawgroup.net. If I am unavailable, you may contact John V. Edwards, who can be reached at (202) 663-7853 or by e-mail at jedwards@mullinslawgroup.net.

Respectfully submitted,

/s/ **Crystal M. Zorbaugh**Attorney for Norfolk Southern Corporation and
Norfolk Southern Railway Company

cc: Parties of Record