

BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Chief Counsel
December 31, 2025
Part of
Public Record

Docket No. AB – 1344 X

COLORADO PACIFIC RIO GRANDE RAILROAD LLC –
ABANDONMENT EXEMPTION – IN RIO GRANDE COUNTY, COLORADO

**HAYDUK INTERNATIONAL LLC'S & MATTHEW J. HAYDUK'S JOINT REPLY TO
CONCERNED CITIZENS OF SAN LUIS VALLEY'S DECEMBER 10, 2025
SUPPLEMENTAL COMMENTS
AND
MOTION TO SANCTION RONALD M. JOHNSON, ESQ. AND CONCERNED
CITIZENS**

HAYDUK INTERNATIONAL, LLC & MATTHEW J. HAYDUK
102 ANSLEY COURT
GREER, SOUTH CAROLINA 29650

Reply to Concerned Citizens of San Luis Valley's
December 10, 2025 Supplemental Comments

And

Motion to Sanction Ronald M. Johnson, Esq. and Concerned Citizens

MICHAEL J. HAYDUK & MATTHEW J. HAYDUK

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Managing Member & Individual Capacity

Date: December 31, 2025

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NOW COMES Hayduk International, LLC, (“Hayduk”), by its managing member, Michael J. Hayduk, and Matthew J. Hayduk, Hayduk’s corporate affiliate and substitute Purchaser, both of which respectfully, and jointly pursuant to the 49 C.F.R. §1104.13, Reply to the December 10, 2025 filed Supplemental Comments of Concerned Citizens of San Luis Valley (“Comments”), and in reply state:

1. On p. 1 of the Concerned Citizens Supplemental Comments, the following statements appear:

“... Hayduk placed all of the claimed shipper support in **Exhibit T** to the OFA, which was **classified as “Confidential.”** ... In addition to Exhibit T, Hayduk more recently submitted **Exhibit A** to the Hayduk Joint Reply to the CXRG Motion to Withdraw its Notice of Exemption as evidence of a need for continued rail service on the Line. **Exhibit A** includes the **Confidential** Verified Statement of Matthew J. Hayduk” (Bold added)

2. On p. 2 of the Concerned Citizens Supplemental Comments, the following statements appear:

“A review of Exhibits T and A show... . All of the other supposed **evidence of shipper interest** comes from generalized projections and suppositions by Hayduk... .” (Bold added)

3. On p. 3 of the Concerned Citizens Supplemental Comments, the following misrepresentation appears:

“None of the Exhibits to these Supplemental Comments contain Confidential or Highly Confidential Material.”

4. Technically, the above statement is truthful. That is to say, the Exhibits, do not *per se* contain “Confidential or Highly Confidential Material.”

5. Hayduk argues that by ENTERING Exhibits 11, 15 and 16 into the Public Record, Mr. Ronald M. Johnson, Esq. acting as Counsel for the Concerned Citizens, has Violated the Confidential Undertaking that he executed, and Violated the STB’s Protective Order previously entered in this proceeding.

6. Hayduk filed, under seal, the Names of three shippers contained in Exhibits 11, 15 and 16 that indicated that they had an interest in utilizing the Line Segment at Issue for freight rail purposes. The names of those three shippers, were confidential, proprietary information, which was NOT to be disclosed in the public record, and was NOT to be disclosed to anyone except “Outside counsel.”

7. Had Mr. Johnson NOT executed an Undertaking, Mr. Johnson would NOT have had any knowledge as to who the three shippers were, and would NOT have had any reason to put into the public record, Exhibits 11, 15 and 16.

8. On pp. 6-8 of the Concerned Citizens Supplemental Comments, the following statements appear:

“III. Hayduk Confidential Verified Statement and Exhibit A to Joint Reply

A. [Redacted]

The Wolf Creek ski resort is reached

Even if the Village at Wolf Creek development

[Redacted]

C. [redacted] B30-7 Locomotive”

9. Hayduk argues that from the above [redacted] statements, it is easily discerned:

A. That Wolf Creek ski resort & the Village at Wolf Creek development, are one of Hayduk’s potential shippers¹, particularly when coupled with Concerned Citizens’ Exhibit 16.

B. That there is a sub-paragraph B, which discusses a second shipper. Since Concerned Citizens’ Exhibit 15 is not addressed in sub-paragraph A or C, sub-paragraph B must be about the shipper identified in Exhibit 15.

C. That since sub-paragraph C is about a B30-7 Locomotive, the redacted shipper must be the shipper identified in Concerned Citizens’ Exhibit 11.

10. Hayduk argues that by entering Exhibits 11, 15, and 16 into the Public Record, Mr. Johnson acting on behalf of his clients the Concerned Citizens has in fact knowingly disclosed the names of the three shippers, has in fact knowingly violated the Undertaking that he executed, and has in fact knowingly violated the STB’s Protective Order entered in this Proceeding.

MOTION FOR SANCTIONS

11. Sanctions are appropriate for the violations of a STB protective order and the board is within its authority to issue sanctions to enforce its orders.

PRAYER FOR RELIEF

12. WHEREFORE, for the foregoing reasons, Hayduk prays that the STB:

¹ Placing the identity of Wolf Creek into the public record is highly controversial as this development has been the basis of nearly two decades of litigation. Hayduk alleges this was a calculated effort by Mr. Johnson on behalf of his Client’s the Concerned Citizens to introduce additional irrelevant and unnecessary controversy into this proceeding.

- A. Strike from the Public Record, Exhibits 11, 15 and 16;
- B. Sanction Mr. Johnson for violating the Undertaking that he executed; and for violating the STB's Protective Order in this Proceeding, to wit:
 - a. Striking Mr. Johnson's appearance in this Proceeding; and
 - b. Prohibiting Mr. Johnson from representing any party in this Proceeding;
 - c. And Admonishing Mr. Johnson to never again violate an executed undertaking; and to never again violate a STB Protective Order; and,
 - d. Award monetary damages in an amount determined by the Board to Hayduk.
- C. Sanction the Mr. Johnson's Clients, the Concerned Citizens by:
 - a. Denying Concerned Citizens' Motion to Intervene; and
 - b. Striking ALL Concerned Citizens' filings in this Proceeding;
- D. And for such other and further relief as would be appropriate.

VERIFICATIONS

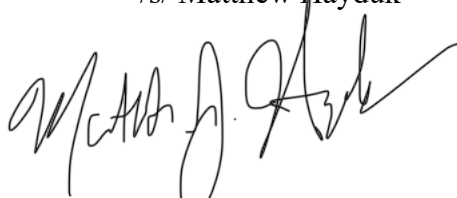
I, Matthew J. Hayduk, declare and verify under penalty of perjury that this reply to Concerned Citizens of San Luis Valley's December 10, 2025 Supplemental Comments And Motion to Sanction Ronald M. Johnson, Esq. and Concerned Citizens is true and correct to the best of my personal knowledge, information and belief.

I, Michael J. Hayduk, declare and verify under penalty of perjury that this Reply to Concerned Citizens of San Luis Valley's December 10, 2025 Supplemental Comments And Motion to Sanction Ronald M. Johnson, Esq. and Concerned Citizens is true and correct to the best of my personal knowledge, information and belief. Further, I certify that I am qualified and authorized to file this Reply to Concerned Citizens of San Luis Valley's December 10, 2025

Supplemental Comments And Motion to Sanction Ronald M. Johnson, Esq. and Concerned Citizens as an authorized corporate officer of Hayduk International, LLC.

Respectfully; jointly submitted,

/s/ Matthew Hayduk



Matthew J. Hayduk
In his individual capacity
Corporate Affiliate

/s/ Michael J. Hayduk



Michael J. Hayduk
Managing Member
Hayduk International, LLC

Dated: December 31, 2025

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2025, I served the foregoing document, Reply to Concerned Citizens of San Luis Valley's December 10, 2025 Supplemental Comments And Motion to Sanction Ronald M. Johnson, Esq. and Concerned Citizens on Parties of Record:

Mr. Thomas W. Wilcox, Esq.
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Mr. Matthew J. Hayduk
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MICHAEL J. HAYDUK