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February 10, 2026

VIA ELECTRONIC FILING

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

ENTERED
Office of Chief Counsel
February 10, 2026
Part of
Public Record

Re: Finance Docket No. 36447, Lake Providence Port Commission – Feeder Line Application – Line of Delta Southern Railroad Located in East Carroll and Madison, Parishes, Louisiana.

Dear Chief of Case Administration:

On February 9, 2026, Delta Southern Railroad, Inc. (“DSRR”) filed seven (7) motions, and an Omnibus Brief in Support of the motions, requesting the Board issue subpoenas against various entities. Each of the seven motions attached as an exhibit thereto, proposed subpoenas for the Board to issue.

It has come to our attention, as noted in the letter to Judge Soulikias filed on behalf of LPPC this afternoon, that the proposed subpoena duces tecum attached to DSRR’s Motion for Issuance of Subpoena to Sam E. Angel, II, on behalf of Epstein Gin Co. d/b/a Epstein Transloading (“Epstein Motion”) inadvertently attached a proposed subpoena duces tecum to Terral RiverService, Inc.

Enclosed with this letter, please find a corrected Epstein Motion to include the proposed subpoena to Epstein Gin Co. d/b/a Epstein Transloading. The proposed subpoena was timely provided to Epstein in accordance with Judge Soulikias’s January 16, 2026 Order.

According to the letter filed by LPPC, neither Epstein nor Livingston Pecan & Metal, Inc. object to the substance of the proposed subpoenas. Moreover, the proposed deposition dates are agreeable.

As a result, there are no objections to DSRR’s motions relating to the following motions:

- Motion for Issuance of Subpoena to Sam E. Angel, II, on behalf of Epstein Gin Co. d/b/a Epstein Transloading;
- Motion for Issuance of Subpoena to Blake Livingston, on behalf of Livingston Pecan & Metal, Inc.;

- Motion for Issuance of Subpoena to Robert Amacker, Jr., on behalf of Hollybrook Warehouse, Inc.;
- Motion for Issuance of Subpoena to Neil Martin, on behalf of Terral RiverService, Inc.;
- Motion for Issuance of Subpoena to Daniel B. Robbins, President of North Louisiana and Arkansas Railroad; and
- Motion for Issuance of Subpoena to Wyly Gilfoil, former Port Director of the Lake Providence Port Commission.

DSRR requests the Board issue the aforementioned subpoenas accordingly.

The only outstanding dispute concerns DSRR's Motion for Issuance of Subpoena to Complex Chemical Company, Inc. We have no objection to Complex and LPPC's request to file a Reply to the Complex Motion by February 13, 2026.

DSRR notes that it did preemptively remove one of the requests it understood was causing an objection following its meet-and-confer with Complex Chemical's counsel, specifically DSRR's request that Complex Chemical produce "Documents sufficient to show . . . rail shipments . . . on the Line."

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,

John M. Scheib
Gentry Locke Attorneys
101 W. Main Street, Suite 750
Norfolk, VA 23510
757-916-3511

Attorney for:
Delta Southern Railroad, Inc.

Enclosure

cc: Parties of Record
Non-party Witness Counsel

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36447

**LAKE PROVIDENCE PORT COMMISSION – FEEDER LINE APPLICATION – LINE
OF DELTA SOUTHERN RAILROAD LOCATED IN EAST CARROLL AND MADISON
PARISHES, LOUISIANA.**

**DELTA SOUTHERN RAILROAD, INC.'S
MOTION FOR ISSUANCE OF SUBPOENA TO SAM E. ANGEL, II, ON BEHALF OF
EPSTEIN GIN CO., D/B/A EPSTEIN TRANSLOADING**

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Attorneys for:
Delta Southern Railroad, Inc.

February 9, 2026

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36447

**LAKE PROVIDENCE PORT COMMISSION – FEEDER LINE APPLICATION – LINE
OF DELTA SOUTHERN RAILROAD LOCATED IN EAST CARROLL AND MADISON
PARISHES, LOUISIANA.**

**DELTA SOUTHERN RAILROAD, INC.’S
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EPSTEIN GIN CO., D/B/A EPSTEIN TRANSLOADING**

Delta Southern Railroad, Inc. (“DSRR”), by counsel, pursuant to the Board’s January 16, 2026 order, as amended, and 49 U.S.C. §§ 1113.2(b) and 1114.21, *et seq.*, moves the Board for issuance of a subpoena to Sam E. Angel, II, on behalf of Epstein Gin Co., d/b/a Epstein Transloading. A copy of the proposed subpoena is attached hereto as **Exhibit A**. A copy of Mr. Angel’s verified statement in this proceeding is also included for reference as **Exhibit B**.

The grounds for this Motion are stated in DSRR’s Omnibus Brief in support of Motions for Non-Party Subpoenas filed contemporaneously herewith.

WHEREFORE, for the reasons stated herein and in DSRR’s Omnibus Brief in support of Motions for Non-Party Subpoenas, DSRR respectfully requests the Board grant this Motion, issue and endorse the subpoena attached hereto as **Exhibit A**, and award DSRR any further relief as the Board deems appropriate.

Respectfully Submitted,

/s/ John M. Scheib

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757-916-3511

Attorneys for:
Delta Southern Railroad, Inc.

February 9, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing document was served by email
on the following:

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Washington, DC 20016
rhstreeter@gmail.com

Mr. Michael F. McBride
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2000 Pennsylvania Ave, NW
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Thomas D. Crowley
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Mr. Ernesto Andre Silva Cruz
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112B Monument Place
Vicksburg, MS 39180
ernestoc@terralriverservice.com

Mr. Glover Alcorn "Russ" Russell, Jr.
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/s/ William L. Spotswood

William L. Spotswood
Dated: February 9, 2026

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36447

**LAKE PROVIDENCE PORT COMMISSION – FEEDER LINE APPLICATION – LINE
OF DELTA SOUTHERN RAILROAD LOCATED IN EAST CARROLL AND MADISON
PARISHES, LOUISIANA.**

**SUBPOENA DUCES TECUM TO SAM E. ANGEL II, ON BEHALF OF EPSTEIN GIN
CO., D/B/A EPSTEIN TRANSLOADING, TO TESTIFY IN A DEPOSITION AND
PRODUCE DOCUMENTS**

To: Sam E. Angel II
Epstein Gin Co., d/b/a Epstein Transloading
537 Reynold Street
Lake Village, AR 71653

Pursuant to the rules of the Surface Transportation Board governing discovery, 49 C.F.R. § 1114, *et seq.*, and by Order of the Board:

YOU ARE HEREBY COMMANDED to appear at Robert G. Bridewell Attorney, PLC, 113 N. Court Street, Lake Village, Arkansas 71653 at 10:00 a.m. on February 25, 2026, to provide testimony by oral deposition at the request of Delta Southern Railroad, Inc., in the above-caption proceeding. Your testimony will be recorded stenographically, by an officer authorized to administer oaths, and may be used as evidence in this proceeding. The deposition is anticipated to be completed within one-half of a business day, but may be continued from time to time until completed. Specific topics for which you will be expected to provide testimony are included in Attachment A to this subpoena.

YOU ARE ALSO COMMANDED to produce the items described in Attachment B to this subpoena by 10:00 a.m. on February 25, 2026, to Delta Southern Railroad, Inc., c/o GENTRY LOCKE ATTORNEYS at Robert G. Bridewell Attorney, PLC, 113 N. Court Street, Lake Village,

Arkansas 71653 by physical copy or electronic mail to William L. Spotswood, Esq. (spotswood@gentrylocke.com) and J. Cole Gayle, Esq. (CGayle@gentrylocke.com), or at such time and place as the attorneys for Delta Southern Railroad, Inc. and you agree.

DATED: February 9, 2026

Administrative Law Judge Jenifer J. Soulikias: _____

ATTACHMENT A TO SUBPOENA DUCES TECUM

Delta Southern Railroad, Inc. (“DSRR”) seeks to depose you in order to obtain relevant evidence to the Lake Providence Port Commission’s (“LPPC”) Amended Feeder Line Application to acquire the Line of DSRR located in East Carroll and Madison Parishes, Louisiana, STB Docket No. FD 36447 (the “proceeding”). Specifically, DSRR seeks testimony regarding the following topics:

1. All subject matter and facts asserted in Your verified statement submitted in this proceeding, including the factual basis for any such assertions.
2. Requests for rail service made by Epstein to DSRR.
3. Rail service provided to Epstein by DSRR.
4. Requests for rail service made by Epstein to North Louisiana & Arkansas Railroad, Inc. (“NLA”), including those in which DSRR would participate.
5. Rail service provided to Epstein by NLA.
6. Costs and effectiveness of transportation options for Epstein, as comparing trucking, rail, and other alternatives.
7. Current and anticipated demand for rail service by Epstein.
8. Drafts and communications regarding Your verified statement in this proceeding with LPPC (including its counsel) or any third party.
9. Documents produced by Epstein in response to a subpoena duces tecum in this proceeding.

ATTACHMENT B TO SUBPOENA DUCES TECUM

INSTRUCTIONS AND DEFINITIONS

1. “Document(s)” shall mean anything on or in which data or information is recorded or stored, including, but not limited to: writings or representations of every kind, correspondence, electronic mail and files, text messages, memoranda, notes, statements, paraphrases or summaries of statements, drawings, tabulations, charts, graphs, plans, maps, sketches, photographs, brochures, diaries, records, rules, regulations, summaries, reports, report forms, studies, papers, work papers, letters, books, notebooks, schedules, lists, worksheets, agreements, contracts, records of telephone calls or any other communications or conversations, telegrams, teletypes, radiograms, cables, discs, tapes or any other forms of mechanical recordings of all statements not reduced to writing, film, microfilm, computer printouts and computations potentially generated to summarize information stored in computer storage by whatever means. The word “Document(s)” also includes, but is not limited to, all handwritten, typed, printed and photocopied matter, including all marginal notations and drafts, duplicates, carbon copies and any other copies thereof, all electronically stored documents such as information stored on computer drives, hard discs, diskettes, floppy discs, DVD, CD, memory sticks, any other means of electronic storage, and all information posted online such as information posted on social media or a blog, even if such information was later edited or deleted.

2. The connectors “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests any information that might otherwise be construed to be outside the scope of the interrogatory or request.

3. The word “person” shall mean any individual, firm partnership, corporation, association, business or governmental entity or subdivision, agency, department, and any “person” acting by or through, directly or indirectly, and other “person” as well as any “person” by whom such “person” was controlled with respect to the matter in question.

4. The word “including” shall mean “including but not limited to.”

5. “Epstein,” “You,” and “Your” shall mean Epstein Gin Co., and each of its agents, attorneys, accountants, consultants, officers, commissioners, employees, independent contractors, and any other individual or entity associated or affiliated with it or purporting to act on its behalf.

6. “DSRR” shall mean line-owner Delta Southern Railroad, Inc., and each of its agents, attorneys, accountants, consultants, officers, directors, employees, independent contractors, affiliates, and any other individual or entity associated or affiliated with it, or purporting to act on behalf of it.

7. “NLA” shall mean the North Louisiana and Arkansas Railroad, Inc., and each of its agents, attorneys, accountants, consultants, officers, directors, employees, independent contractors, affiliates, and any other individual or entity associated or affiliated with it, or purporting to act on behalf of it.

8. The “Line” means the portion from milepost (“MP”) 471.0 to MP 498.44 of the DSRR line that runs from Lake Providence, Louisiana (MP 471.0) to the point of interchange with the Kansas City Southern Railway Company (“KCS”) at Tallulah, Louisiana, which is the complete and only subject of the amended feeder line application filed on January 3, 2023.

9. The phrase “request for rail service” shall mean any request made by Epstein to DSRR that is specific to a commodity and date that DSRR provided said rail service.

10. “Proceeding” shall mean Surface Transportation Board Docket No. FD 36447.

11. “Verified Statement” means the Verified Statement of Sam E. Angel II dated December 20, 2022, and that was submitted in LPPC’s Amended Application in the Proceeding.

12. Responsive documents should be produced as they are kept in the usual course of business, or organized and labeled to correspond with the categories in these requests.

13. Procedure for production of ESI: All metadata is to be included on every document, email, etc. produced electronically. All E-mails are to be produced in PST format. All data and documents to be produced electronically shall be produced using a Concordance Load File. Documents produced in PDF format should be text searchable (OCR). All documents stored in electronic format should be produced in electronic format.

DOCUMENTS REQUESTED:

1. All Documents referenced or relied upon in the Verified Statement.
2. All Documents regarding any “derailments attributed to DSRR’s deteriorated tracks,” as referenced in the Verified Statement.
3. All Documents regarding any denial of rail service by DSRR, including any refusal for interchange rail service.
4. All Documents regarding the condition of the Line, including to any alleged inability of the Line to transport safely high-center-of-gravity Hopper cars used by Epstein.
5. All Documents regarding any derailments involving NLA.
6. All Documents regarding decisions to ship by rail or by truck, including cost analyses, price quotes, and other comparisons.
7. All Documents regarding analysis of rail shipping options, including via various rail routes mentions in paragraph 3 of the Verified Statement.
8. All Documents regarding any refusal by DSRR to take steps to rebuild the Line.

9. All Documents regarding rail service by NLA, including derailments, delays in service, costs of service, or failures to provide service.
10. Any shipper surveys received or completed related to rail shipping.
11. All Documents regarding the proceeding, including any communications regarding, or drafts of, the Verified Statement.

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 36447

LAKE PROVIDENCE PORT COMMISSION
--FEEDER LINE APPLICATION--
LINE OF DELTA SOUTHERN RAILROAD LOCATED IN
EAST CARROLL AND MADISON PARISHES, LA.

Verified Statement of Sam E. Angel II
in Support of
Feeder Line Application filed by
Lake Providence Port Commission

1. My name is Sam E. Angel II. I am the owner of Epstein Gin Co. and Epstein Transloading. I am duly authorized to present this Statement in Support of the Feeder Line Application that has been filed by the Lake Providence Port Commission ("LPPC"). My business address is 537 Reynolds St, Lake Village, AR 71653. My telephone number is (870) 265-2332. I have been involved with Epstein Gin for 30 years and have personal knowledge about the facts that are stated herein. Those facts are true to the best of my knowledge.

2. Epstein Gin has been in this location since the early 1900s. The ginning process separates the seed from the cotton fiber. We store up to sixteen thousand tons of seed here. Storage and rail are critical to our operations because the cotton harvest is approximately 60 days annually. Therefore, the seed markets quickly flood, and prices drop just

as fast. With seed storage we can ship and sell throughout the year using rail to reach distant dairy markets. Epstein Transloading does the same for other cotton gins located in the Mississippi Delta that have seed storage but no access to transloading or rail services. In addition to selling and shipping our own seed, Epstein has loaded cars for various Commodity Companies that have included Anderson Grain, Apex Commodities and Gavilon. In all instances, we are not considered to be the shipper. Instead, the above-named companies are the actual shippers. When they are ready to ship, they tell us how many empty cars they need for us to load, and we schedule the cars for loading. It is left to the shippers to determine the routing. While we are generally aware of the destination markets, and may influence the routing, the shipper works with the railroads to establish their rates and routing.

3. Because of the price differential between the Union Pacific Railroad ("UP") and Kansas City Southern Railroad ("KCS") can be substantial, Epstein Gin and the shippers whose cars we load, would prefer to route cars that are destined to markets in Mexico and other locations in the United States that are served by KCS, directly to KCS at Tallulah. The grant of LPPC's feeder line application, would result in a single movement of only 65 miles as NLA would interchange directly with KCS. This would eliminate two (2) inefficient interchanges that involve DSRR. In addition, it will eliminate the alternate routing that has NLA moving the cars 24.1 miles to McGehee, where they are interchanged

with UP. UP then moves the cars 95 miles to Monroe, Louisiana where it interchanges with KCS. Although this alternative “works,” it adds to the cost of the entire movement. Given the markets in which we operate, any extra costs and unnecessary interchanges are counterproductive. At present, we are in discussions with Central Valley Ag Products from California about loading for it. While they would prefer shipping via KCS for some shipments, the added costs have caused them to hold back until they can be assured that the entire Line south of Lake Providence, Louisiana has been fully restored. To understand the hesitancy to take a chance that the unrestored track will be able to safely handle the high-gravity cars that are used to transport cotton seed, it is necessary to realize that about 95 percent of the cars are privately owned by the companies that hire us to load them. Having experienced several expensive derailments attributed to DSRR’s deteriorated tracks, Epstein Gin got rid of all the private cars that it once owned.

4. The Epstein Companies and the companies for which it loads have been denied interchange rail service ever since William Wainwright, the former owner of Delta Southern Railroad, Inc. (“DSRR”), on November 2, 2010, embargoed the Line between milepost 408.9 and milepost 433.0. Two (2) years before he allowed the track to disintegrate to the point that the high-center-of-gravity Hopper cars used to transport our products could not be safely operated, Epstein Gin had shipped 451 carloads. That number had fallen to 20 carloads by the end of October 2010. That

decline was totally attributed to track conditions and DSRR's horrendous rail service. Not only did it suffer numerous derailments, which resulted in the loss of product and damaged railcars, but its service was unreliable. While DSRR would promise to deliver cars for loading on a Friday, it often failed to arrive until the next Friday. In our business, repeated delays of a week for delivery results in the loss of customers who use the cotton seed to feed their cattle. Due to the unreliable rail service, we had to resort to transloading shipments for delivery to UP. This necessarily and substantially increased our cost of transportation. As a result, all use of DSRR's services to the north of milepost 471.0 ceased.

5. Even after LPPC and NLA acquired ownership of the track, track conditions continued to plague NLA's ability to safely operate the type of railcar upon which we rely. Because NLA and the Southeast Arkansas Economic Development District ("SEAEDD") have already used the INFRA Grant funds, as well as previous grants, to rehabilitate the Line between McGehee and the Arkansas/Louisiana State boundary and the spur track into our facilities at Lake Village, that track can now be safely operated to reach UP in McGehee. I am informed that LPPC has also taken steps to improve the Line between the State Line and the point of interchange with DSRR at the Port of Lake Providence. I also know that NLA can safely move our cars over that section of the track between the Arkansas/Louisiana boundary since 2016.

6. In 2015, Wainwright sold his shares of DSRR's stock and the last segment of the Line that he had not abandoned to some other entities which, I am advised, include Golden Gate Capital, a private equity investment firm which is headquartered in San Francisco, with no apparent ties to this region. While the new investors encouraged efforts to upgrade DSRR's track between the Madison Parish Port and the point of interchange with KCS, they refused to take any steps to rebuild the segment of track that must be rebuilt before Epstein Gin can reach KCS. That refusal continued for approximately 21 months after Epstein Gin filed its letter of support for LPPC's original feeder line application in November 2020.

7. In June of 2019, Epstein Gin requested NLA to ship the remaining 40+ cars of cottonseed that were then stored in its Lake Village facility to KCS. These cars would have moved in interchange service with DSRR. Although NLA was ready, willing and able to move the 43 cars, Mr. Robbins informed us that Dino Trevino, who is DSRR's current General Manager, had advised him that he had to refuse interchange because DSRR's tracks between mileposts 471.0 and 491.0 could not accommodate the movement of the cars. Mr. Robbins also reported that Mr. Trevino had also claimed that DSRR had approximately 200 cars stored on a portion of that track. That DSRR was recently able to move a specialized low-gravity car over its track plainly demonstrates that if DSRR's owners had consistently taken steps during the seven (7)

years that they have owned the track, it could have been properly rehabilitated at an earlier date. That it could handle the specialized car in September 2022 does not, by itself, demonstrate that DSRR can now handle our top-heavy loads of cotton seed.

8. I hereby confirm the statement in the earlier letter that Epstein Gin and Epstein Transload intend to expand sales into Mexico and other destinations via the KCS once it can be assured that its cars can be safely operated over the 20-mile segment of track. As I view the situation, the expectancy of increased new business and increased revenues would have prompted most short line railroads to repair their tracks. As is obvious from DSRR's response to Epstein Gin's testimony and the joint business development activities that were undertaken shortly after Wainwright sold his stock, DSRR's new owners have never committed to take the necessary steps to rebuild the segment of the Line that must be repaired if DSRR is to provide the rail service that Epstein Gin requires. Instead, they continued to argue as late as March 2021, that the renovation of its "long-dormant" was unjustified and unwarranted.

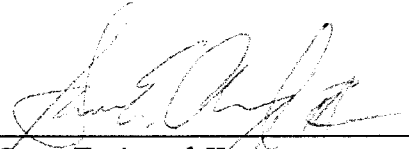
9. Epstein Gin and Epstein Transloading support LPPC for several other reasons. First, LPPC's ownership of the segment from milepost 471.0 and the point of interchange with KCS will ease the administrative burdens of having to deal with three (3) distinct railroads to establish contracts, obtain rate quotes, track the location of cars, and settle freight claims in the event of a problem. In other words, it will enhance

efficiencies both administratively and operationally. In addition, our support for LPPC is also based on a shared belief that preservation of rail service will benefit the economic development of the area. I am a current member of the Lake Village Economic Development Commission as well as the Chicot-Desha Metropolitan Port Authority, which is heavily involved in the effort to further develop the Yellow Bend Slackwater Harbor. That Port is currently underutilized with regard to its potential. In addition, I am a Board Member of the SEAEDD. As such, I am very aware of the urgent need for economic development and the need to fully restore the entire Lake Providence Branch Line. Without the full support that LPPC and SEAEDD have provided Epstein Gin in preserving rail service for the past 34 years, the Line would have been abandoned. As the Interstate Commerce Commission's ("ICC") decision in *Missouri Pacific Railroad Company – Abandonment – In Desha and Chicot Counties, AR, and East Carroll, Madison, Tensas, and Concordia Parishes, LP*, dated July 11, 1988, reflects, Epstein Gin, along with LPPC and SEAEDD, opposed MoPac's application. It was only because of offers of financial assistance filed by LPPC and the predecessor of Delta Southern Railroad Company that the Line is still in place.

10. I am personally aware that SEAEDD's and NLA's use of INFRA Grant funds for the recent reconstruction of the Line has already resulted in two (2) new industries announcing their intent to consider the construction of new facilities in Chicot County. In fact, I attended the

groundbreaking that was conducted on November 14, 2022, for MD Power and its Waste to Energy facility that is being constructed in Chicot County. It is anticipated that this will result in an increase of hundreds of jobs within the next two (2) years and will substantially increase rail traffic over the Line between McGehee and Tallulah. LPPC's, SEAEDD's and NLA's joint ownership of the entire Lake Providence Branch Line will benefit Epstein Gin and Epstein Transloading and their employees.

I, Sam E. Angel II, declare under penalty of perjury that the foregoing statement is true and correct. Further, I certify that I am qualified and authorized to file this statement. Executed this 20th day of December 2022.



Sam E. Angel II