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BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. FD 36873

UNION PACIFIC CORPORATION AND
UNION PACIFIC RAILROAD COMPANY

— CONTROL —

NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY

**GRAND TRUNK CORPORATION'S MOTION TO COMPEL PRODUCTION OF DATA
AND DOCUMENTS RELATED TO APPLICANTS' 2025 RAIL TRAFFIC**

Pursuant to 49 C.F.R. § 1114.30, Grand Trunk Corporation and its U.S. rail operating subsidiaries¹ (collectively, “CN”) respectfully submit this motion seeking an order from the Surface Transportation Board (“Board”) to compel Applicants² to produce traffic tape, reciprocal switching, and interchange data for 2025 (the “2025 data”), in response to Requests 12-14 from CN’s Third Set of Discovery Requests served on February 19, 2026 (“Third RFPs”).³ Applicants have refused to produce their 2025 data unless and until they decide it is relevant. They have no good justification for this refusal, and have no good explanation for why production of the 2025 data depends solely on their determination. And that is because there are no good justifications, and no good explanations. The 2025 data is necessary to fully evaluate the Applicants’ proposed transaction, and Applicants should be ordered to produce the 2025 data as soon as practicable.

* * * * *

Traffic tape data is critical to the competitive, operational, and environmental analyses the Board will undertake in reviewing the proposed transaction. Indeed, in recognition of the important role that traffic tapes play in evaluating proposed transactions such as this one, the Major Rail Consolidation Procedures (“Major Merger Rules”) *require* applicants contemplating a major merger transaction to “make their highly confidential 100% traffic tapes available to outside

¹ Bessemer and Lake Erie Railroad Company, Cedar River Railroad Company, Chicago, Central & Pacific Railroad Company, Grand Trunk Western Railroad Company, Illinois Central Railroad Company, Iowa Northern Railway Company, The Pittsburgh & Conneaut Dock Company, and Wisconsin Central Ltd.

² “Applicants” refers collectively to Union Pacific Corporation (“UPC”) and Union Pacific Railroad Company (collectively, “Union Pacific”) with Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, “Norfolk Southern”).

³ Ex. A. For reference, CN’s Requests correspond to the number of Requests it has served in this proceeding. CN previously served Requests 1-8 on September 23, 2025, as part of its First Set of Discovery Requests for Applicants (“First RFPs”) and Requests 9-10 on October 23, 2025, as part of its Second Set of Discovery Requests for Applicants.

counsel or consultants for interested parties . . . as soon as practicable after the filing of the notice of intent.”⁴ As the Board explained in the Major Merger Rules, and recently emphasized in this proceeding, traffic tape data is “critical,” and early access to such data will “aid interested parties” in their review of the proposed transaction and preparation of their own submissions without impeding “prospective applicants in the preparation of their application.”⁵ The Board’s access to traffic tape data, the Board explained in its request for Applicants’ 2019-2024 traffic tapes in this proceeding, is also “necessary [for the Board] to carry out its review of the proposed transaction.”⁶

Access to the most recent available traffic tapes and related data is necessary to evaluate the proposed transaction that Applicants claim will create unprecedented growth in rail traffic and transform the railroad industry. Yet, Applicants refuse to produce 2025 data on the basis that such data is not presently and may never become relevant. Specifically, Applicants claim the 2025 data is somehow not relevant because it is (1) “outside the scope of the relevant period of the application submitted . . . on December 19, 2025, and the revised application to be submitted” and (2) “beyond the scope of the [Board’s] Decision No. 2[.]”⁷ Applicants have indicated that they will produce 2025 data if they choose to use it in their revised application anticipated on April 30, 2026, but otherwise take the position that the 2025 data is irrelevant. In short, Applicants’ position is that CN’s requests are either premature or seek information that is irrelevant — they are premature even if Applicants later choose to use 2025 data in their revised application, but they seek

⁴ *Major Rail Consol. Procs.*, 5 S.T.B. 539, 591 (2001); *see* 49 C.F.R. § 1180.4(b)(4)(iii).

⁵ *See* Decision No. 2, FD 36873, slip op. at 2 (STB served Aug. 25, 2025) (quoting *Major Rail Consol. Procs.*, 5 S.T.B. at 591).

⁶ *See id.* That the Board requested Applicants’ 2019-2024 traffic tapes in its first request to the Applicants in this proceeding reflects the fundamental role of traffic tapes in evaluating the proposed transaction. At the time, complete traffic tapes for 2025 were not available.

⁷ *See* Exs. B, C.

information that is irrelevant if Applicants choose to ignore 2025 data in their revised application.

CN's request is neither premature nor irrelevant. *First*, CN's request for the Applicants to produce this data before refiling an application is timely. The Major Merger Rules expressly require prospective applicants to produce this data prior to the filing of an application.⁸ Further, the Board's decisions ordering the submission of data and documentation well before any application⁹ or revised application¹⁰ is filed confirm that this data should be produced as soon as practicable, and well before the revised application is filed.

Second, the 2025 data is relevant irrespective of whether Applicants expressly choose to incorporate that data into their revised application. The 2025 traffic tapes and related data reflect the most current and complete data of Applicants' traffic and networks. Applicants' sweeping merger-related growth and efficiencies claims, and the competitive implications of the proposed transaction, cannot be properly understood without the context of the most recent available data. The 2025 data is thus "critical" and highly relevant to interested parties' and the Board's evaluation of the proposed transaction and revised application, including in evaluating Applicants' merger-related growth and efficiencies claims.

Finally, Applicants' position is also contrary to their own use of traffic tape data, which has not been limited to the 2023 base year. Applicants' refusal to produce this critical data unless they elect to use it in their revised application reflects Applicants' consistent efforts to limit the Board's and interested parties' review of the proposed transaction to only those materials Applicants themselves elect to submit rather than the full universe of relevant information. The

⁸ *Major Rail Consol. Procs.*, 5 S.T.B. at 591; *see* 49 C.F.R. § 1180.4(b)(4)(iii).

⁹ Decision No. 2, FD 36873.

¹⁰ Decision No. 13, FD 36873 (STB served Mar. 18, 2026).

Board's regulations impose no such limitation.

Accordingly, CN respectfully seeks an order requiring Applicants to produce the 2025 data expeditiously.

PROCEDURAL FACTS

On July 30, 2025, Applicants filed a notice of their intent to file an application seeking approval for the proposed transaction by January 29, 2026.¹¹ On August 25, 2025, the Board issued Decision No. 2, ordering Applicants to produce their 100% traffic tapes and related metadata for 2019-2024, then the most recent traffic tapes available, in advance of the application being filed.¹² The Board ordered the traffic tapes to be submitted by September 8, 2025, well in advance of Applicants' anticipated initial application.¹³ Pursuant to Decision No. 2, in early September 2025, Applicants submitted their 100% traffic tapes for 2019-2024 to the Board.¹⁴ That same month, CN served its First RFPs on Applicants, which included requests for 2019-2024 reciprocal switching and interchange data crucial for understanding Applicants' traffic tapes.¹⁵ Applicants' initial application, filed on December 19, 2025, was rejected by the Board as incomplete on January 16, 2026.¹⁶ Applicants have now indicated that they anticipate filing a revised application on April 30, 2026.¹⁷

On February 19, 2026, CN served its Third RFPs on Applicants seeking four narrow and

¹¹ UP-1/NS-1, FD 36873 at 2 (filed July 30, 2025).

¹² Decision No. 2, FD 36873, slip op. at 2.

¹³ *See id.*

¹⁴ UP-5, FD 36873 (filed Sept. 8, 2025); NS-5, FD 36873 (filed Sept. 8, 2025).

¹⁵ *See* CN's First RFPs (served Sept. 23, 2025).

¹⁶ UP-13/NS-11, FD 36873 (filed Dec. 19, 2025); Decision No. 9, FD 36873 (STB served Jan. 16, 2026).

¹⁷ UP-27/NS-26, FD 36873 (filed Feb. 17, 2026).

minimally burdensome Requests, including Requests for the 2025 data to assist in evaluating the proposed transaction and the forthcoming revised application.¹⁸ On March 6, 2026, Applicants each served objections to CN's Third RFPs, including objections to producing the 2025 data.¹⁹ Following receipt of Applicants' responses and objections, CN and Applicants met and conferred. Applicants confirmed during the conferral their refusal to produce the 2025 data on the basis that it was premature and irrelevant. Applicants have since confirmed their position in writing, including that they will produce the 2025 data only if it is used by Applicants in the revised application.²⁰

ARGUMENT

I. CN's Requests for 2025 Data Are Timely.

The Requests for 2025 data in CN's Third RFPs are not premature or unduly burdensome.²¹ Applicants object to CN's requests for the 2025 data as premature and unduly burdensome prior to the filing of their revised application. Applicants rely on the recent order of Administrative Law Judge Jenifer J. Soulikias denying BNSF's motion to compel without prejudice.²² Applicants' position is incorrect. Judge Soulikias's decision does not preclude the type of discovery at issue in this motion. *First*, the Major Merger Rules *require* prospective applicants to make available traffic tape data as soon as practicable following the filing of a notice of intent and therefore *before* the filing of an application.²³ In the Major Merger Rules, the Board emphasized that early access

¹⁸ See Ex. A.

¹⁹ See Exs. B, C.

²⁰ See Ex. D.

²¹ CN reserves all rights and arguments with respect to its other Requests; however, this motion relates only to Requests 12, 13, and 14.

²² Decision No. 10, FD 36873, slip op. at 3-4 (STB served Feb. 11, 2026).

²³ *Major Rail Consol. Procs.*, 5 S.T.B. at 591; see 49 C.F.R. § 1180.4(b)(4)(iii).

to this data is important and, “unlike broad pre-application discovery,” production of this data will not “impede the prospective applicants in the preparation of their application.”²⁴ Judge Soulikias’s opinion acknowledged this language in the Major Merger Rules and denied BNSF’s motion to compel on the basis that the discovery BNSF sought was distinguishable from the type of discovery permitted pre-application.²⁵ Here, Judge Soulikias’ reasoning is not applicable given CN is specifically seeking traffic tapes, and minimal related data necessary to understand the traffic tapes, which the Board and the Major Merger Rules already contemplate being produced by prospective applicants during the pre-application period.²⁶

The Requests for the 2025 data are targeted, narrow, and minimally burdensome. Applicants have produced this data for 2019-2024 without issue, the other non-Applicant Class I railroads have exchanged 2019-2024 traffic tape data, and CN is ready and willing to reciprocally exchange 2025 data with Applicants. In short, CN’s Requests for the 2025 data merely reflect that Applicants should update as soon as practicable data that has been confirmed to be relevant by this Board and the Major Merger Rules. Additionally, the Board has previously recognized that data maintained in the ordinary course of business, such as traffic tapes and related data, is not unduly burdensome to produce.²⁷

Second, the Board’s Decision No. 2 in this proceeding confirms that this data should be produced prior to the filing of the revised application. Specifically, in that decision, the Board

²⁴ See *Major Rail Consol. Procs.*, 5 S.T.B. at 591.

²⁵ See Decision No. 10, FD 36873, slip op. at 3.

²⁶ Decision No. 2, FD 36873, slip op. at 2.

²⁷ See Decision No. 35, *Canadian Pac. Ry.—Control—Kan. City S.*, FD 36500 et al., slip op. at 145 (STB served Mar. 14, 2023) (explaining that “the Board does not expect that production of the 100% traffic tapes would be unduly burdensome as those materials are kept in the ordinary course”).

requested key information, including the 2019-2024 traffic tapes (the most recent traffic tapes available at that time) prior to the filing of the initial application. The Board emphasized the importance of “[e]arly access to this critical traffic data” for both interested parties and the Board.²⁸ Further, the Board has acknowledged that production of relevant documentation, including ordinary course documents, is appropriate here in light of “the proposed transaction’s size and significance for the rail transportation system, and because the transaction is the first to be assessed under the 2001 merger rules” and has ordered such documentation to be submitted prior to the filing of the revised application.²⁹

CN’s targeted requests for this discovery are thus not premature prior to Applicants’ filing their revised application.

II. The 2025 Data Is Highly Relevant.

The Board’s regulations permit parties to obtain discovery “regarding any matter, not privileged, which is relevant to the subject matter involved in a proceeding.”³⁰ Information is relevant when it “might be able to affect the outcome of a proceeding.”³¹ The 2025 data, which reflects the most recent year of Applicants’ traffic data available prior to the filing of their revised

²⁸ Decision No. 2, FD 36873, slip op. at 2 (quoting *Major Rail Consol. Procs.*, 5 S.T.B. 539, 591 (2001)) (emphasis added).

²⁹ Decision No. 13, FD 36873, slip op. at 5.

³⁰ *Potomac Elec. Power Co. v. CSX Transp., Inc.*, 2 S.T.B. 290, 291 n.5 (1997); see also 49 C.F.R. § 1114.21(a)(1), *Canadian Pac. Ry.—Control—Kan. City S.*, FD 36500, slip op. at 4 (STB served Aug. 2, 2021) (acknowledging authority to seek material relevant to subject matter of proceeding under 49 C.F.R. § 1114.21 and interpreting scope of relevance in discovery “[b]roadly”); *Finch Paper LLC—Pet. for Declaratory Ord.*, FD 35981, slip op. at 2 (STB served Jan. 18, 2017) (administrative law judge order referring to the Board’s discovery regulations as using “a very liberal standard” and describing “relevant” as “a broad standard”), *aff’d*, (STB served Mar. 24, 2017).

³¹ See *Atchison, Topeka & Santa Fe Ry.—Operating Rts.—S. Pac. Transp. Co.*, FD 22218, slip op. at 2 (STB served Feb. 7, 2025).

application, is indisputably relevant. Traffic tape data is recognized by the Board to be so “critical” that early production of prospective applicants’ traffic tapes is *required* by the Major Merger Rules.³² As the Board has emphasized here, access to Applicants’ traffic tapes is necessary for interested parties’ and the Board’s review of the proposed transaction.³³ Applicants do not get to dictate what information is relevant to the proposed transaction or what information interested parties evaluate to analyze it. Yet, Applicants seek to withhold this relevant data unless and until *they* choose to use it.

The 2025 data, which includes the Applicants’ critical traffic tapes and related data, reflects the most recent and therefore, arguably the most accurate pre-merger status of Applicants’ traffic. Not only is this data necessary to fully understand Applicants’ networks and the potential implications of the proposed transaction, but it is essential in evaluating claims likely to appear in the revised application, including for example, Applicants’ claimed merger-related growth and efficiencies as well as post-merger projected market shares.³⁴ The 2025 data “will assist [the Board and interested parties] in determining whether the proposed transaction is likely to have the effects attributed to it by Applicants and whether the transaction is consistent with the public interest, which requires consideration of the proposal’s competitive effects.”³⁵

Here, the Board and interested parties will be evaluating the proposed transaction in

³² *Major Rail Consol. Procs.*, 5 S.T.B. at 591; *see* 49 C.F.R. § 1180.4(b)(4)(iii).

³³ Decision No. 2, FD 36873, slip op. at 2.

³⁴ For instance, Applicants claim the proposed transaction is “fundamentally about growth,” that is not achievable absent the proposed transaction. *See* UP-13/NS-11, FD 36873 (Appl. Vol. 1 at 12). To evaluate Applicants’ claims of merger-related growth and efficiencies, access to 2025 data is necessary, especially given Union Pacific is reporting that it achieved over 100,000 carloads of growth in 2025 alone. *See* V. James Vena & Jennifer L. Hamann, Question and Answer Presentation at the J.P. Morgan Industrials Conference, (Mar. 18, 2026) (stating that Union Pacific “grew last year at 113,000 carloads”).

³⁵ Decision No. 13, FD 36873, slip op. at 5.

connection with Applicants' revised application, which they anticipate filing on April 30, 2026.³⁶ Applicants' position that interested parties' and the Board's review of the revised application should be limited exclusively to traffic data that is at least 16 months old is nonsensical. The Board has explained that the "regulations in no way limit Applicants to considering just the base year specified in the pre-merger notification."³⁷ The regulations similarly do not limit interested parties.

That the Board did not specifically request 2025 traffic tapes in Decision No. 2 does not, as Applicants claim, suggest 2025 is "out of scope." The Board's decision was issued in connection with Applicants' notice of an application anticipated on or before January 29, 2026.³⁸ It is thus of no moment that Decision No. 2, which ordered Applicants to produce traffic tapes by September 8, 2025, did not request the 2025 traffic tapes, as they were not available at the time and would not have been available when Applicants filed their anticipated application. To the contrary, the Board's request in Decision No. 2 for data outside of the base year, including for 2024, the most recent year of traffic tapes available at the time, reflects that years beyond and after the base year *are* relevant.

III. Applicants' Position Is Contrary to Their Own Use of Non-2023 Traffic.

Applicants' position that 2025 data is "out of scope" is inconsistent with Applicants' own use of non-base year data. Throughout their initial application, Applicants rely on data from years other than 2023 when convenient for Applicants. For example, Applicants' expert Dr. Elizabeth Bailey purports to analyze potential horizontal competitive effects of the proposed transaction using 2023 data, yet Dr. Bailey excludes potential competitive effects flagged in 2023 from her

³⁶ UP-27/NS-26, FD 36873.

³⁷ Decision No. 9, FD 36873, slip op. at 6.

³⁸ UP-1/NS-1, FD 36873 at 2.

reported results if she does not find those effects in years outside of 2023.³⁹ Applicants' expert Mark Israel similarly relies on data for 2019-2024 throughout his analyses.⁴⁰ Applicants also use 2024 data to prepare density maps included in the initial application and to support claims in their operating plan.⁴¹ These are only a few of the numerous examples of Applicants' use of non-base year traffic.⁴²

Applicants now claim that the 2025 data is relevant *only* if Applicants elect to use it in the revised application. Applicants cannot be permitted to limit the Board's and interested parties' review of the proposed transaction to only those materials Applicants themselves elect to submit rather than the universe of available relevant information. The Board's regulations impose no such limitation, and such a restriction would be blatantly inconsistent with the broad discovery permitted in Board proceedings. Indeed, Applicants' position directly contradicts the Board's regulations, which expressly encourage public participation "[t]o ensure a fully developed record on the effects of a proposed railroad consolidation."⁴³ And as the Board has recently recognized, "ordinary course" materials "may be more probative than party advocacy, expert analysis, and self-serving statements provided to support a merger application."⁴⁴ CN's requests for 2025 data are necessary to ensure that the proposed transaction is considered on a fully developed and accurate record.

³⁹ UP-13/NS-11, FD 36873 (Appl. Vol. 2 at 8, 47-48, 53). Notably, Dr. Bailey does not evaluate the inverse, i.e., whether there are potential horizontal competitive effects of the proposed transaction that are missed in the 2023 data, but reflected in 2019-2022 or 2024.

⁴⁰ *See id.* (Appl. Vol. 2 at 149, 153, 161-64, 166-68, 183, 185).

⁴¹ *See id.* (Appl. Vol. 2 at 699, 1067, 1069).

⁴² *See id.* (Appl. Vol. 1 at 490; Appl. Vol. 2 at 14-18, 137-38, 520, 547, 992-93).

⁴³ 49 C.F.R. § 1180.1(m).

⁴⁴ Decision No. 13, FD 36873, slip op. at 6.

CONCLUSION

For the reasons stated herein, CN respectfully requests that the Board order the Applicants to produce data in response to Requests 12, 13, and 14 expeditiously.

Respectfully submitted,

/s/ Sara Y. Razi

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Attorneys for CN

CERTIFICATE OF SERVICE

I hereby certify that, on this 10th day of April 2026, I caused a true and correct copy of the foregoing to be served by first-class mail or email on all parties of record in this proceeding, the Secretary of Transportation, the Attorney General, and Administrative Law Judge Jenifer Soulikias.

/s/ Andrew Bernstein
Andrew Bernstein
Sr. Paralegal Manager
Simpson Thacher & Bartlett LLP

Exhibit A

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB FINANCE DOCKET NO. 36873

**UNION PACIFIC CORPORATION, ET AL. – CONTROL –
NORFOLK SOUTHERN CORPORATION, ET AL.**

**GRAND TRUNK CORPORATION'S THIRD SET OF
DISCOVERY REQUESTS TO APPLICANTS**

Pursuant to 49 C.F.R. Part 1114, Grand Trunk Corporation, on behalf of itself and its U.S. rail operating subsidiaries¹ (collectively "CN" as defined below) requests that NS (as defined below) and UP (as defined below) respond to the following discovery requests in accordance with the Surface Transportation Board's rules, and the Definitions and Instructions set forth below.

Responses from NS and UP should be served as soon as possible, and in no event later than fifteen days from the date of service hereof. NS and UP are requested to contact the undersigned promptly to discuss any objections or questions regarding these requests with a view to resolving any disputes or issues of interpretation informally and expeditiously.

¹ Bessemer and Lake Erie Railroad Company, Cedar River Railroad Company, Chicago, Central & Pacific Railroad Company, Grand Trunk Western Railroad Company, Illinois Central Railroad Company, Iowa Northern Railway Company, The Pittsburgh & Conneaut Dock Company and Wisconsin Central Ltd.

DEFINITIONS

1. “CN” means Grand Trunk Corporation; its parent companies; subsidiaries; controlled, affiliated, and predecessor firms; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures.
2. “Communication” or “Communications” shall mean any oral or written representation, promise, conversation, statement, message, or transmission of information, electronic or otherwise, and should be construed in the broadest sense possible. Requests to produce or identify Communications include, but are not limited to, text messages, emails, instant or direct messages on any platform, voicemails, electronic communications, agendas, notes, talking points, agreements, inquiries, memoranda, reports, face-to-face conversations and meetings, telephone conversations or conference calls, negotiations, and presentation slides, and include information that was displayed or shown to another party without being transmitted in writing to that party.
3. “Concerning” means relating to, referring to, describing, evidencing, constituting, or in any way pertaining to, in whole or in part, the subject matter or the Request.
4. “Document” or “Documents” is used in the broadest possible sense permissible and includes, without limitation, all originals, copies (if the originals are not available), nonidentical copies (whether different from the original because of underlining, editing marks, notes made on or attached to such copy, or otherwise) and drafts, whether printed or recorded (through a sound, video, or other electronic, magnetic, or digital recording system) or reproduced by hand, including, without limitation: letters, correspondence, telegrams, telexes, memoranda, records, text messages, communications via Internet-connected applications, Communications, summaries of personal conversations or interviews, minutes or records or notes of meetings or conferences, note pads, notebooks, postcards, “Post-It” or similar notes, stenographic notes, notes, opinions or reports of financial advisors or consultants, opinions or reports of experts, projections, financial or statistical statements or compilations, contracts, agreements, appraisals, analyses, purchase orders, confirmations, publications, articles, books, pamphlets, circulars, microfilm, microfiche, reports, studies, logs, surveys, diaries, calendars, appointment books, maps, charts, graphs, bulletins, photostats, speeches, data sheets, pictures, photographs, illustrations, blueprints, films, drawings, plans, tape recordings, videotapes, disks, diskettes, data tapes or readable computer-produced interpretations or transcriptions thereof, electronic messages, voice mail messages, interoffice communications, advertising, packaging and promotional materials, material of any sort and in any format maintained or available at any time on the World Wide Web

(whether formerly, currently, or both), and any other writings, papers and tangible things of whatever description whatsoever, including but not limited to any information contained in any computer, even if not yet printed out.

5. “Identify,”
 - a. when used in relation to an individual, means to state the name, address, and business telephone number of the individual, the job title or position and the employer of the individual at the time of the activity inquired of, and the last-known position and employer of the individual;
 - b. when used in relation to a corporation, partnership, or other entity, means to state the name of the entity and the address and telephone number of its principal place of business;
 - c. when referring to a Document, means to give, to the extent known, the (i) type of document (e.g., letter, e-mail, memorandum, report, chart); (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) or recipient(s). Documents may be produced in lieu of being Identified;
 - d. when referring to information, means to list or produce Documents containing the specified information;
 - e. when used in relation to an oral Communication or statement means to: identify the person making the Communication or statement and the person, persons, or entity to whom the Communication or statement was made; state the date and place of the Communication or statement; describe in detail the contents of the Communication or statement; and identify all Documents that refer to, relate to or evidence the Communication or statement.
6. “Including” means “including, but not limited to.”
7. “NS” means Norfolk Southern Corporation and Norfolk Southern Railway Company; their parent companies; subsidiaries; controlled, affiliated, and predecessor firms; departments; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures.
8. “UP” means Union Pacific Corporation and Union Pacific Railroad Company; their parent companies; subsidiaries; controlled, affiliated, and predecessor firms; departments; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures.

9. “You” and “Your” mean UP and/or NS, whichever is broader in the context in which it is used.

INSTRUCTIONS

1. Responsive Documents to all requests should be produced to the undersigned counsel, not later than fifteen days after the date of service of these Requests. Production of Documents may be accomplished through electronic means such as a data room or file transfer if You prefer. Rolling production of relevant Documents during that fifteen-day period is requested.
2. These requests extend to any Documents or Communications in the possession, custody, or control of UP, its present and former directors, officers, employees, attorneys, and any other agents or representatives, or NS, its present and former directors, officers, employees, attorneys, and any other agents or representatives.
3. Unless a different time period is specified, these requests cover the period from January 1, 2019 to the present.
4. If NS and/or UP withhold Documents or Communications on the basis of a claimed privilege or attorney work product, then for each such document, NS and/or UP should Identify the Document or Communication and state the basis for the claim that it is privileged or otherwise not discoverable.
5. NS and/or UP should immediately contact Lindsey Bohl at (202) 636-5908 to discuss any objections or questions with a view to resolving any dispute or issues of interpretation informally and expeditiously.
6. Following prior discovery practice in merger proceedings, these requests are presented in a single list of requests. Requests that ask NS and/or UP to produce Documents shall be responded to in accordance with 49 C.F.R. § 1114.30. Requests that ask NS and/or UP to Identify or describe information or that otherwise pose questions shall be responded to in accordance with 49 C.F.R. § 1114.26.
7. If NS and/or UP believe that information responsive to a particular discovery request has been already presented in their workpapers, Identify the specific workpaper or workpapers that they believe provides the requested information, including the specific sheets and cells where applicable.
8. Pursuant to 49 CFR § 1114.29, NS and UP are under a duty to supplement their responses with respect to any Request.

DOCUMENT REQUESTS²

11. Produce all information and Documents that UP or NS or their representatives receive in response to discovery requests they submit to other participants in this proceeding.
12. Produce Your complete traffic tape data for the period January 1, 2025 – December 31, 2025, including all available data records for both loaded and empty movements and revenue and non-revenue movements for Your entire system, including standard fields of information and metadata consistent with Your previous productions of traffic tape data in these proceedings.
13. Produce data and Documents concerning reciprocal switching for the period from January 1, 2025 through December 31, 2025, including but not limited to car-level movement records, switch lists, interchange logs, line-segment-level usage data, and any other records or communications reflecting reciprocal switching arrangements or traffic. To the extent not otherwise encompassed by this request, Your response should include: (1) waybill date, number, and identifiers associated with the switch operation; (2) the switching locations where the actual car switching between roads occur (FSAC, SPLC, Rule 260 junction code, station name, and state/province); (3) local customer information where the switched cars are picked-up or delivered in the switching terminal area (CIF, Parent Customer Name, FSAC, SPLC, station name, and state/province); (4) payment information for that switch; (5) date of operation; (6) equipment initial; and (7) equipment number.
14. Produce Documents sufficient to show all interchange volumes with other carriers, broken down by line, location, and counterparty, together with any associated payments, settlements, or charges between carriers for haulage, switching, or other car handling (including waybill identifiers, car initials and numbers, dates and times, service type, payment types, and amounts), for the period from January 1, 2025 through December 31, 2025, provided at the most disaggregated level maintained in the ordinary course of business.

² For clarity, the numbering of the below corresponds to the number of each Request in this proceeding. CN previously served Request Nos. 1-8 on September 23, 2025 as part of its First Set of Discovery Requests for Applicants and Request Nos. 9-10 on October 23, 2025 as part of its Second Set of Discovery Requests for Applicants.

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Attorneys for CN

Dated: February 19, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of February 2026, I have caused a true and correct copy of the foregoing “Grand Trunk Corporation’s Third Set of Discovery Requests to Applicants” to be served electronically or by first-class mail, postage pre-paid, on all parties of record for this proceeding, the Secretary of Transportation, the Attorney General, and Administrative Law Judge Jenifer Soulikias.

/s/ Andrew Bernstein
Andrew Bernstein

Exhibit B

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 36873

UNION PACIFIC CORPORATION AND UNION PACIFIC RAILROAD COMPANY
—CONTROL—
NORFOLK SOUTHERN CORPORATION AND NORFOLK SOUTHERN
RAILWAY COMPANY

**UNION PACIFIC'S RESPONSES AND OBJECTIONS
TO GRAND TRUNK CORPORATION'S
THIRD SET OF DISCOVERY REQUESTS**

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March 6, 2026

Union Pacific Railroad Company and Union Pacific Corporation (collectively, “Union Pacific”) respond to the third set of discovery requests of Grand Trunk Corporation¹ served on February 19, 2026 (“CN’s Requests” or “Document Requests” or “Requests”), as follows.

GENERAL RESPONSES

The following General Responses apply to each of CN’s Requests:

1. Union Pacific is conducting a reasonable search for information and documents responsive to CN’s Requests. Where Union Pacific states that it will produce documents, Union Pacific will conduct a reasonable search for responsive, non-privileged documents, subject to the specific and general objections stated below.

2. Production of information or documents does not necessarily imply that the information or documents are relevant to or admissible in this proceeding and is not to be construed as waiving any of the general or specific objections stated below.

3. Union Pacific’s responses and objections to these Requests are based on Union Pacific’s present knowledge, information, and belief. Union Pacific reserves the right to rely upon facts, documents, or other evidence that it may develop or that may subsequently come to its attention; to assert additional objections; and to supplement or amend these responses at any time as this proceeding continues.

¹ Per Grand Trunk Corporation’s Third Set of Discovery Requests to Applicants, Grand Trunk Corporation is seeking discovery on behalf of its itself and its U.S. rail operating subsidiaries, including Bessemer and Lake Erie Railroad Company, Cedar River Railroad Company, Chicago, Central & Pacific Railroad Company, Grand Trunk Western Railroad Company, Illinois Central Railroad Company, Iowa Northern Railway Company, The Pittsburgh & Conneaut Dock Company and Wisconsin Central Ltd. (collectively “CN”).

GENERAL OBJECTIONS

Union Pacific's General Objections, as set forth herein, are to be considered objections to each of the specific Document Requests (including subparts) that follow. These general objections are not exhaustive and, where appropriate, Union Pacific will also state specific objections. Union Pacific's objections shall not waive, limit, or prejudice any objections that it may later assert.

1. In providing these responses, Union Pacific reserves all objections as to competency, relevancy, materiality, authenticity, and admissibility of the use of any information requested in the CN's Requests and in any responses or productions Union Pacific may provide thereto, in any subsequent proceeding, or further proceedings in this matter. To the extent that Union Pacific provides responsive information or documents, Union Pacific does not concede that such information is relevant, material, or admissible into evidence, and any such production is not intended to waive any of Union Pacific's objections to any of CN's Requests.

2. Union Pacific objects to each and every Document Request as unduly burdensome and premature, to the extent it seeks discovery of information, documents, or communications that the Board has not ordered produced during the pre-application phase of this proceeding. *See* Decision No. 10. To the extent Union Pacific voluntarily responds to each Document Request, Union Pacific does not concede that a response is required by the Board's rules or that by providing a response Union Pacific is undertaking any discovery obligations beyond those imposed by the Board's rules.

3. Union Pacific objects to each and every Document Request and to each Definition, Instruction, and Request contained therein to the extent they purport to impose upon Union Pacific burdens or duties that are greater than, or otherwise conflict with, the requirements or the permissible scope of discovery under 49 C.F.R. Part 1114, Subpart B, or under other Surface Transportation Board rules or precedents or are not proportional to the needs of the above-captioned proceeding and impose an undue burden on Union Pacific.

4. Union Pacific objects to each and every Document Request requesting that Union Pacific produce “all” responsive documents, communications, or information as unduly burdensome to the extent it requests that Union Pacific engage in an unreasonably broad collection and review in order to identify each and every document that may possibly be responsive. For those Requests to which it is obliged to respond, Union Pacific will produce such responsive documents or information as it is able to locate or identify in a reasonable search and which are not otherwise subject to an applicable privilege or other protection.

5. Union Pacific objects to the Document Requests and to each Definition, Instruction, and Request contained therein to the extent they seek the production of documents prepared in connection with, or information relating to, possible settlement or mediation of this or any other proceeding, in whole or in part.

6. Union Pacific objects to each and every Document Request and to each Definition, Instruction, and Request contained therein that request information, documents, or communications that are: (a) already in the possession of CN;

(b) publicly available or otherwise readily available or accessible to CN from other sources; (c) unreasonably cumulative or duplicative of documents already in CN's possession, custody, or control; or (d) otherwise obtainable in a more convenient, less burdensome, or less expensive manner than from Union Pacific.

7. Union Pacific objects to each and every Document Request and to each Definition, Instruction, and Request contained therein as unduly burdensome to the extent they seek production from the files of all current and former Union Pacific employees, including those who are not reasonably likely to possess non-duplicative relevant documents. Unless specifically stated otherwise, by stating that it will produce documents responsive to these Requests, Union Pacific represents that it will produce documents from files most likely to contain materials responsive to the Request without undue burden.

8. Union Pacific objects to each and every Document Request and to each Definition, Instruction, and Request contained therein as unduly burdensome to the extent they purport to require Union Pacific to conduct a special study or to undertake anything more than a reasonable search for responsive information. In responding to CN's Requests, Union Pacific will conduct a reasonable search of those accessible files in its possession in which information responsive to CN's Requests, as limited by Union Pacific's Objections, is likely to be located.

9. Union Pacific objects to each and every Document Request and to each Definition, Instruction, and Request contained therein to the extent they purport to prohibit Union Pacific from redacting information that might reveal Union Pacific's

commercially sensitive or long-term corporate strategies and is not relevant to this proceeding. Union Pacific will redact any such information, and reserves the right to redact any non-responsive information, from otherwise responsive documents produced to CN.

10. Union Pacific objects to the production of, and is not producing, documents or information subject to any attorney-client privilege, work-product doctrine, or other applicable privilege or protection. Union Pacific reserves the right to redact privileged information from materials that it produces in response to the Requests. Any production of privileged documents or information is inadvertent and should not be deemed as a waiver of any privilege. Union Pacific reserves all rights under applicable law, including the Protective Order to be entered in this case, to demand or require the return of all copies thereof and non-use by CN or by any other person or entity in this or any other proceeding.

11. Union Pacific objects to the production of documents that constitute or disclose confidential, proprietary, or commercially or competitively sensitive information. Union Pacific will produce such information, if not otherwise objectionable, designated “Confidential” or “Highly Confidential,” subject to the terms of the Protective Order entered in this case. Union Pacific reserves the right to seek additional protections as needed.

12. Union Pacific objects to each and every Document Request and to each Definition, Instruction, and Request contained therein to the extent they seek or may result in the use, disclosure, or dissemination of any confidential, proprietary, or

commercially or competitively sensitive information produced in response to the Document Requests for the purpose of training, fine-tuning, evaluating, or otherwise interacting with artificial intelligence (AI) models or systems in a manner that violates the terms of the Protective Order entered in this case. This objection includes, but is not limited to, any use of such materials in connection with large language models (LLMs), machine learning algorithms, or generative AI tools, regardless of whether such use is direct or indirect, manual or automated, or anonymized or de-identified. Union Pacific does not consent to the use of any of its discovery materials for purposes unrelated to this proceeding, including but not limited to AI training.

13. Union Pacific objects to Definition No. 2, “Communication” or “Communications,” as unduly burdensome and as seeking information that is not proportional to the probative value the information sought may have in this proceeding to the extent that it would require production of text messages, instant or direct messages on any platform and electronic communications other than emails, and to the extent that it purports to require production of material that was not reduced to writing. Union Pacific is not searching for and will not produce these categories of “Communications.”

14. NS objects to Definition No. 3, “Concerning,” to the extent it is overly broad, unduly burdensome, and seeks information that is outside the scope of this proceeding.

15. Union Pacific objects to Definition No. 4, “Document” or “Documents,” to the extent this Definition seeks to expand upon and conflicts with 49 C.F.R. Part 1114, Subpart B. Union Pacific further objects to Definition No. 4 as unduly burdensome and as seeking information that is not proportional to the probative value the information sought may have in this proceeding to the extent that it would require production of draft electronic communications, electronic meeting invites, meeting change or cancellation notices, text messages, communications by or with internet-connected applications (other than emails), electronic messages (other than emails), and Communications to the extent addressed in General Objection 13. Union Pacific is not searching for and will not produce these categories of “Documents.”

16. Union Pacific objects to Definition No. 5, “Identify,” to the extent that it seeks to expand upon and conflicts with 49 C.F.R. Part 1114, Subpart B. Union Pacific further objects to Definition No. 5 as unduly burdensome and as seeking information that is not proportional to the probative value the information sought may have in this proceeding to the extent that it would require Union Pacific to provide information that is not reasonably accessible.

17. Union Pacific objects to Definition No. 7, “NS” as overly broad, unduly burdensome, disproportionate to the needs of this case, and not reasonably calculated to lead to the discovery of admissible evidence to the extent that it requires Union Pacific to respond to the Requests with respect to Norfolk Southern Corporation’s “parent companies; subsidiaries; controlled, affiliated, and predecessor firms; departments; divisions; subdivisions; components; units; instrumentalities;

partnerships; and joint ventures.” Union Pacific will respond to the Requests only with respect to Norfolk Southern Corporation and Norfolk Southern Railway Company.

18. Union Pacific objects to Definition No. 8, “UP,” as overly broad, unduly burdensome, disproportionate to the needs of this case, and not reasonably calculated to lead to the discovery of admissible evidence to the extent that it purports to require Union Pacific to respond to the Requests with respect to Union Pacific’s “parent companies; subsidiaries; controlled, affiliated, and predecessor firms; departments; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures.” Union Pacific will respond to the Requests only with respect to Union Pacific Corporation and Union Pacific Railroad Company.

19. Union Pacific objects to Definition No. 9, “You” and “Your” as overly broad, unduly burdensome, and vague, to the extent it purports to require Union Pacific to respond on behalf of Norfolk Southern Corporation or Norfolk Southern Railway Company. Union Pacific will respond to these Requests only as to Union Pacific Corporation and Union Pacific Railroad Company.

20. Union Pacific objects to each of Instructions No. 1, 2, 3, 4, 5, 7, and 8 as unduly burdensome to the extent the Instruction seeks to impose obligations on Union Pacific that are greater than or otherwise inconsistent with those imposed under 49 C.F.R. Part 1114, Subpart B.

21. Union Pacific objects to Instruction No. 1 to the extent it purports to require Union Pacific to complete its production of documents, if any, within fifteen

days after service of the Requests. Union Pacific will produce any documents identified in response to the Requests on a reasonable timeframe and on a rolling basis, and consistent with Decision No. 10 and the procedural schedule for this proceeding.

22. Union Pacific objects to Instruction No. 2 to the extent it purports to require Union Pacific to collect and/or produce documents that are not in its possession, custody, or control, and are not reasonably accessible in its files.

23. Union Pacific objects to Instruction No. 3 to the extent it purports to require Union Pacific to collect documents or information for an unduly burdensome period of time and until “present,” which is an ever moving target. Except as more specifically objected to below, where Union Pacific agrees to produce responsive documents, Union Pacific will only search for and provide information up to July 29, 2025.

24. Union Pacific objects to Instruction No. 4 to the extent it purports to impose obligations on Union Pacific that are greater than or otherwise inconsistent with those imposed under 49 C.F.R. Part 1114, Subpart B.

25. Union Pacific objects to Instruction No. 5 to the extent it purports to impose obligations on Union Pacific to respond to the Requests in a manner not required by 49 C.F.R. Part 1114, Subpart B. Union Pacific will respond to the Requests as provided in the regulations.

26. Union Pacific objects to Instruction No. 7 to the extent it would require Union Pacific to provide information not required by 49 C.F.R. Part 1114, Subpart B or information that would be unduly burdensome to provide.

27. Union Pacific objects to Instruction No. 8 to the extent it would require Union Pacific to provide information not required by 49 C.F.R. Part 1114, Subpart B or information that would be unduly burdensome to provide.

28. Union Pacific's Responses and Objections are based upon information presently known to it. Union Pacific reserves the right to rely upon facts, documents, or other evidence that may develop or that may subsequently come to its attention; to assert additional objections; and to supplement or amend these responses at any time as this proceeding continues.

DOCUMENT REQUESTS AND REPONSES

REQUEST NO. 11

Produce all information and Documents that UP or NS or their representatives receive in response to discovery requests they submit to other participants in this proceeding.

Union Pacific Response

Union Pacific objects to this Request's use of the terms "Documents" for the reasons set forth in its General Objection and to this Request's use of the term "receive" as vague. Union Pacific further objects to this Request to the extent it seeks materials that are otherwise readily available or accessible to CN from other sources or otherwise obtainable in a more convenient, less burdensome, or less expensive manner than from Union Pacific, including by requesting the materials from the party that responded to the discovery

requests. Union Pacific also objects to this Request to the extent it seeks materials received by Norfolk Southern and not in Union Pacific's possession, custody or control.

Subject to and without waiving the foregoing objections and its General Objections, Union Pacific will serve its discovery requests in this proceeding on all parties of record.

REQUEST NO. 12

Produce Your complete traffic tape data for the period January 1, 2025 – December 31, 2025, including all available data records for both loaded and empty movements and revenue and non-revenue movements for Your entire system, including standard fields of information and metadata consistent with Your previous productions of traffic tape data in these proceedings.

Union Pacific Response

Union Pacific objects to this Request because it is overly broad, unduly burdensome, disproportionate to the needs of this proceeding, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The data sought is not relevant because it is outside the scope of the relevant period of the application submitted to the Surface Transportation Board on December 19, 2025, and the revised application to be submitted pursuant to the Surface Transportation Board's Decision No. 9. The data sought is also beyond the scope of the Surface Transportation Board's Decision No. 2, requiring production of 100% traffic tapes for the period January 1, 2019 through December 31, 2024.

REQUEST NO. 13

Produce data and Documents concerning reciprocal switching for the period from January 1, 2025 through December 31, 2025, including but not limited to car-level movement records, switch lists, interchange logs, line-segment-level usage data, and any other records or communications reflecting reciprocal switching arrangements or traffic. To the extent not otherwise encompassed by this request, Your response should include: (1) waybill date, number, and identifiers associated with the switch operation; (2) the switching locations where the actual car switching between roads occur (FSAC, SPLC, Rule 260 junction code, station name, and state/province); (3) local customer information where the switched cars are picked-up or delivered in the switching terminal area (CIF, Parent Customer Name, FSAC, SPLC, station name, and state/province); (4) payment information for that switch; (5) date of operation; (6) equipment initial; and (7) equipment number.

Union Pacific Response

Union Pacific objects to this Request because it is overly broad, unduly burdensome, disproportionate to the needs of this proceeding, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The data sought is not relevant because it is outside the scope of the relevant time period of the application submitted to the Surface Transportation Board on December 19, 2025, and the revised application to be submitted pursuant to the Surface Transportation Board's Decision No. 9. Union Pacific further objects to this Request for all the reasons it objected to Request No. 4 of CN's First Set of Discovery Requests, including because the Request is vague and overly broad to the extent it requests all data and documents and communications "concerning reciprocal switching" and to the extent it includes the undefined, vague, and ambiguous terms "switch lists," "interchange logs" and "line-segment-level usage data." Union Pacific also objects to this Request as unduly burdensome to the extent it purports to

require Union Pacific to provide information in a form not kept in the regular course of business or to conduct a special study or to undertake anything more than a reasonable search for responsive information. Union Pacific objects to this Request to the extent it seeks materials protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, or any other applicable privileges or immunities.

REQUEST NO. 14

Produce Documents sufficient to show all interchange volumes with other carriers, broken down by line, location, and counterparty, together with any associated payments, settlements, or charges between carriers for haulage, switching, or other car handling (including waybill identifiers, car initials and numbers, dates and times, service type, payment types, and amounts), for the period from January 1, 2025 through December 31, 2025, provided at the most disaggregated level maintained in the ordinary course of business.

Union Pacific Response

Union Pacific objects to this Request because it is overly broad, unduly burdensome, disproportionate to the needs of this proceeding, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The data sought is not relevant because it is outside the scope of the relevant time period of the application submitted to the Surface Transportation Board on December 19, 2025, and the revised application to be submitted pursuant to the Surface Transportation Board's Decision No. 9. Union Pacific further objects to this Request for all the reasons it objected to Request No. 5 of CN's First Set of Discovery Requests, including because the Request is unduly burdensome to the extent it purports to require Union Pacific to provide information in a form not kept in the regular course

of business or to conduct a special study or to undertake anything more than a reasonable search for responsive information. Union Pacific also objects to this Request as vague, to the extent it is unclear whether “for haulage, switching, or other car handling” modifies “charges between carriers” or “interchange volumes with other carriers,” to the extent it requests “any associated payments, settlements, or charges between carriers for ... other car handling” without identifying the nature of the definition of requested services performed, and to the extent it uses the undefined term “car handling.”

Respectfully submitted,

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March 6, 2026

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2026, the foregoing document was served by first-class mail or email on all parties of record to this proceeding, the Secretary of Transportation, the Attorney General of the United States, and Administrative Law Judge Jenifer Soulikias.

/s/ Molly Brown

Exhibit C

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March 6, 2026

Via E-mail

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Re: Union Pacific Corporation, Et Al. – Control – Norfolk Southern Corporation, Et Al., FD 36873

Dear Ms. Razi,

On behalf of Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, “NS”), please find enclosed NS’s Responses and Objections to Grand Trunk Corporation’s Third Set of Discovery Requests to Applicants served on February 19, 2026, in connection with the above-captioned proceeding. If there are any questions about this matter, please contact me directly, either by telephone at 202-663-7823 or by e-mail: wmullins@mullinslawgroup.net. If I am unavailable, you may contact Spencer M. Naake, who can be reached at (202) 663-7829 or by e-mail at snaake@mullinslawgroup.net.

Sincerely,

/s/ William A. Mullins

William A. Mullins

Counsel for Norfolk Southern Corporation
and Norfolk Southern Railway Company

cc: Administrative Law Judge Soulikias

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36873

**UNION PACIFIC CORPORATION, ET AL. – CONTROL
– NORFOLK SOUTHERN CORPORATION, ET AL.**

**NORFOLK SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY
COMPANY RESPONSES AND OBJECTIONS
TO GRAND TRUNK CORPORATION'S THIRD SET
OF DISCOVERY REQUESTS TO APPLICANTS**

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March 6, 2026

Attorneys for Norfolk Southern Corporation
and Norfolk Southern Railway Company

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36873

**UNION PACIFIC CORPORATION, ET AL. – CONTROL
– NORFOLK SOUTHERN CORPORATION, ET AL.**

**NORFOLK SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY
COMPANY RESPONSES AND OBJECTIONS
TO GRAND TRUNK CORPORATION’S THIRD SET
OF DISCOVERY REQUESTS TO APPLICANTS**

Pursuant to 49 C.F.R. Part 1114, Subpart B, Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, “NS”) hereby respond and object as follows to Grand Trunk Corporation’s Third Set of Discovery Requests to Applicants served on February 19, 2026 (“CN Requests” or “Document Requests” or “Document Request”), in connection with the above-captioned proceeding.

GENERAL RESPONSES

The following General Responses apply to each of CN’s Requests:

1. NS is conducting a reasonable search for information and documents responsive to CN’s Requests. Where NS states that it will produce documents, NS will conduct a reasonable search for responsive, non-privileged documents, subject to the specific and general objections stated below.
2. Production of information or documents does not necessarily imply that the information or documents are relevant to or admissible in this proceeding and is not to be construed as waiving any of the general or specific objections stated below.

3. NS's responses and objections to these Requests are based on NS's present knowledge, information, and belief. NS reserves the right to rely upon facts, documents, or other evidence that it may develop or that may subsequently come to its attention; to assert additional objections; and to supplement or amend these responses at any time as this proceeding continues.

GENERAL OBJECTIONS

NS incorporates all previously raised objections in previous responses herein. The following General Objections, as set forth herein, should be considered objections to each of the specific Document Requests (including any subparts). NS's General Objections shall not waive or prejudice any additional objections that NS may later assert.

1. NS objects to CN's Requests as premature to the extent that CN seeks discovery (including information, documents, or communications) regarding a Proposed Transaction for which "there is not an Application pending for the [Surface Transportation] Board to review."¹

2. NS objects to each and every Document Request as unduly burdensome and premature, to the extent it seeks discovery of information, documents, or communications that the Board has not ordered produced during the pre-application phase of this proceeding. See Decision No. 10. To the extent NS voluntarily responds to each Document Request, NS does not concede that a response is required by the Board's rules or that by providing a response, NS is undertaking any discovery obligations beyond those imposed by the Board's rules.

3. NS objects to any and all Definitions and/or Instructions to the extent that the Definitions and Instructions either seek to expand upon or conflict with 49 C.F.R. Part 1114, Subpart B.

Further, NS objects to the Document Requests to the extent that they seek to impose obligations

¹ In Decision No. 10, at p. 3, served on February 11, 2026, it is stated by Administrative Law Judge Soulikias that, "[h]ere, the Board found the Application incomplete and gave Applicants leave to file a revised application. There is not an application pending for the Board to review."

on NS that are greater than or otherwise inconsistent with those imposed under 49 C.F.R. Part 1114, Subpart B.

4. NS objects to CN's Requests and to each Definition, Instruction, and Document Request contained therein to the extent they purport to seek information and/or documents that are not relevant and are not likely to lead to the discovery of evidence related to the issues raised in the above-captioned proceeding.

5. NS objects to CN's Requests, including the Instructions and Definitions, to the extent a particular Definition, Instruction, or Document Request is vague or ambiguous.

6. NS objects to CN Requests and to the extent each Definition, Instruction, and Document Request contained therein is not proportional to the needs of the above-captioned proceeding and imposes an undue burden on NS. NS further objects to the Document Requests to the extent they seek identification of "all" or "any" documents, data, or a category of information where the production of a subset of documents, data, or information would be sufficient to respond to the given Document Request, on the basis that such Document Requests are unduly burdensome.

7. NS objects to CN's Requests to the extent that any or all seek Documents, data, or information in a form not maintained by NS in the regular course of business or not available in the form requested by CN, where such Documents, data, or information could be developed, if at all, only through the preparation of compilations, documents, summaries, analyses, or other special studies of any sort not already in existence, and NS by its responses does not unless otherwise noted, undertake to prepare or produce any special studies. Any production by NS of information or Documents in this category shall not be considered a waiver of this objection.

8. NS objects to each of the Document Requests that seek Documents, communications, or information that is already in the possession of CN, which is readily available to CN, or that is publicly available, or that are otherwise obtainable in a more convenient, less burdensome, or less expensive manner than from NS.

9. NS objects to CN's Requests and to each Definition, Instruction, and Request contained therein to the extent that they seek information protected from discovery by the attorney-client privilege, the attorney work-product doctrine, or any other applicable privilege, exemption, or protection from discovery or disclosure. If any such information is inadvertently produced or provided, and such information is the proper subject of the attorney-client privilege, the attorney work-product doctrine, the joint defense and common interest privilege, and/or other applicable privilege, exemption, or protection, such disclosure is not to be construed as a waiver of any of these privileges, exemptions, or protections, NS reserves the right to demand that any such inadvertently produced privileged information should be returned to NS and that all copies in CN's possession, and those of its counsel, consultants, subsidiaries, or other agents, be destroyed.

10. NS objects to CN's Requests to the extent that they seek information relating to documents prepared, generated, or received in anticipation of or after the commencement of litigation.

11. NS objects to CN's Requests to the extent that they seek the production of documents prepared in connection with, or information relating to, possible settlement or mediation of this or any other proceeding, in whole or in part.

12. NS objects to CN's Requests and to each Definition, Instruction, and Document Request contained therein to the extent they call for information or documents that are confidential,

proprietary, or commercially or competitively sensitive. NS will make available information and Documents subject to the Board's Protective Order issued on August 5, 2025 (Decision No. 1). NS will designate information, if not otherwise objectionable, as "Confidential" or "Highly Confidential," subject to the terms of the Protective Order entered in this case. NS reserves the right to seek additional protections as needed.

13. NS objects to each and every Document Request, Definition, Instruction, and Request contained therein to the extent they prohibit NS from redacting information that might reveal NS's commercially sensitive or corporate strategies and is not relevant to this proceeding. NS will redact any such information and reserves the right to redact any non-responsive information from otherwise responsive documents produced in response to the CN Requests.

14. NS objects to CN's Requests and to each Definition, Instruction, and Document Request contained therein to the extent that they are unduly burdensome in failing to allow for a reasonable time for compliance.

15. NS reserves the right to challenge the competency, relevance, materiality, or admissibility of, or to object on any ground to, the use of information requested in the CN Requests and in any responses the NS may provide thereto, in any subsequent proceeding, or further proceedings in this matter. To the extent that NS provides responsive information or documents, NS does not concede that such information is relevant, material, or admissible into evidence, and any such production is not intended to waive any of NS's objections to any of the CN Requests.

16. NS objects to the Requests to the extent they seek information protected from disclosure by confidentiality or nondisclosure agreements with third parties, as well as disclosure of non-public, financial, or otherwise confidential or commercially sensitive information.

17. NS's General Objections and responses are based upon information presently known to it. NS reserves the right to rely upon facts, Documents, or other evidence that it may develop or that may subsequently come to its attention; to assert additional objections and to supplement or amend these responses pursuant to 49 C.F.R. § 1114.29 at any time as this proceeding continues.

18. Consistent with the baseline confidentiality protections of the STB's Protective Order, no documents, data, or information produced by NS may be input into any public internet search engine or into any public, non-compartmentalized generative artificial intelligence (e.g., ChatGPT, Google Bard, etc.).

19. Consistent with the baseline confidentiality protections of the STB's Protective Order, documents and information produced by NS in this proceeding shall be maintained in a distinct database, separate from any other documents, including those produced by NS or any other party in a separate proceeding. CN may not co-mingle Confidential or Highly Confidential information received in discovery in this proceeding with materials from any other litigation or matter and may not submit any of the information received in discovery to any open generative artificial intelligence ("AI") tool (e.g., ChatGPT) or any substantially similar tool that is available to the public. CN may only submit information to an internal closed generative AI tool if it ensures that the tool is not accessible to the public; is not accessible to individuals who have not executed the appropriate confidentiality undertakings to the STB protective order; is used in a secure, controlled environment where information can only be used for purposes of this proceeding and could not be used to respond to any other inquiry; and gives CN the capability to delete all discovery material from the tool at the close of the proceeding. Under no circumstances should any information provided by NS to CN be used to train any AI or language model or submitted to an internal AI tool in a way that such training is possible.

SPECIFIC OBJECTIONS

Norfolk Southern's Specific Objections, set forth herein, apply to each one of CN's Requests and shall not waive, limit, or prejudice any objections it may later assert. Norfolk Southern's failure to object to a specific Request on a particular ground shall not be construed as a waiver of its rights to object in the future on any other grounds.

1. NS objects to CN's definition of "NS," "You," "Your," as overly broad, unduly burdensome, ambiguous and not reasonably calculated to lead to the discovery of admissible evidence to the extent that CN seeks to include any parent companies; subsidiaries; controlled, affiliated, and predecessor firms; departments; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures, that would neither have information that is relevant nor proportional to the needs of the proceeding, and would be unduly burdensome to produce. NS further objects to "You" and "Your" as overly broad, unduly burdensome, and vague, to the extent that it purports to require NS to respond on behalf of Union Pacific Corporation and Union Pacific Railroad Company (collectively, "UP"). NS will only respond to these Requests on behalf of NS.

2. NS objects to the definition of "UP" as overly broad, unduly burdensome, disproportionate to the needs of this case, and not reasonably calculated to lead to the discovery of admissible evidence to the extent that it purports to require Union Pacific to respond to the Requests with respect to Union Pacific's "parent companies; subsidiaries; controlled, affiliated, and predecessor firms; departments; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures." NS will respond to the Requests only with respect to Norfolk Southern Corporation and Norfolk Southern Railroad Company.

3. NS objects to the definition of “Communication” or “Communications” to the extent that it seeks to impose obligations broader than those imposed by 49 CFR Part 1114, especially to the extent that it seeks information on “face-to-face conversations and meetings,” “telephone conversations or conference calls,” or “direct messages on any platform.” NS also objects to the definition of “Communication” to the extent that it seeks information or data that is protected by the attorney-client privilege, work product doctrine, or otherwise protected or privileged, exempted, or excluded from discovery or disclosure by an applicable privilege, protection, rule, or doctrine. NS will produce such non-privileged and otherwise discoverable “Communication” only if it has been put into a written form. NS further objects to the definition of “Communication” or “Communications” to the extent it is overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of relevant information.

4. NS objects to CN’s definition of “Concerning” to the extent it is overly broad, unduly burdensome, and seeks information that is outside the scope of this proceeding.

5. NS objects to the definition of “Document” or “Documents” to the extent that it seeks information or data that is protected by the attorney-client privilege, work product doctrine, or otherwise protected or privileged, exempted, or excluded from discovery or disclosure by an applicable privilege, protection, rule, or doctrine. With respect to its document production, NS will interpret the terms “Document” or “Documents” as excluding any data or other information that is protected from discovery or disclosure by such privilege, protection, doctrine, or rule. NS further objects to the definition of “Document” or “Documents” to the extent it is overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of relevant information. Lastly, NS objects to requests for “Documents” to the extent that it

would require the production of draft electronic communications, electronic meeting invitations, meeting change or cancellation notices, text messages, and communications by or with internet-connected applications. NS will not produce these categories of “Documents.”

6. NS objects to the definition of “Identify” to the extent it is overly broad, unduly burdensome, vague, ambiguous, not reasonably calculated to lead to the discovery of relevant information, to the extent that it seeks to impose obligations broader than those imposed by 49 CFR Part 1114, to the extent it seeks information protected by the attorney-client privilege, work product doctrine, or otherwise protected or privileged, exempted, or excluded from discovery or disclosure by an applicable privilege, protection, rule, or doctrine, or it seeks information in a form not maintained by NS in the regular course of business or not available in the form requested by CN.

7. NS objects to each of Instructions No. 1, 2, 3, 4, 5, 7, and 8 as unduly burdensome to the extent the Instruction seeks to impose obligations on NS that are greater than or otherwise inconsistent with those under 49 CFR Part 1114, Subpart B.

8. NS specifically objects to CN’s Instruction No. 1, which seeks responsive Documents to all requests not later than fifteen days after the date of service of the Document Requests on the basis that the request is unduly burdensome and fails to allow for a reasonable time for compliance. Consistent with the discovery regulations, responses, objections, answers to interrogatories, and requests for admissions are due within 15 days, not all responsive Documents. See 49 CFR 1114.26(a) and 49 CFR 1114.27(a). NS will produce any documents identified in response to the Requests on a reasonable timeframe on a rolling basis, and consistent with Decision No. 10 and the procedural schedule for this proceeding.

9. NS specifically objects to CN's Instruction No. 2, as overly broad, unduly burdensome, ambiguous and not reasonably calculated to lead to the discovery of admissible evidence to the extent that CN seeks Documents and Communications in the possession, custody, or control of NS, its present and former directors, officers, employees, attorneys, and any other agents or representatives, to the extent those individuals neither have information that is relevant nor proportional to the needs of the proceeding, and/ or it would be unduly burdensome to produce.

10. NS objects to CN's Instruction No. 3 to the extent it purports to require NS to collect documents or information for an unduly burdensome period of time and "until present," which is an ever-moving target. Except as more specifically objected to below, where NS agrees to produce responsive documents, NS will only search for and provide information up to July 29, 2025.

11. NS objects to Instruction No. 4 to the extent it purports to impose obligations on NS that are greater than or otherwise inconsistent with those imposed under 49 C.F.R. Part 1114, Subpart B.

12. NS objects to Instruction No. 5 to the extent it purports to impose obligations on NS to respond to the Document Requests in a manner not required by 49 C.F.R. Part 1114, Subpart B. NS will respond to the Document Requests as provided in the regulations.

13. NS objects to Instruction No. 7 to the extent it would require NS to provide information not required by 49 C.F.R. Part 1114, Subpart B or information that would be unduly burdensome to provide.

14. NS objects to Instruction No. 8 to the extent it would require NS to provide information not required by 49 C.F.R. Part 1114, Subpart B or information that would be unduly burdensome to provide.

RESPONSES AND OBJECTIONS TO REQUESTS

11. Produce all information and Documents that UP or NS or their representatives receive in response to discovery requests they submit to other participants in this proceeding.

RESPONSE: NS objects to this Request's use of the terms "Documents" for the reasons set forth in its Specific Objection and to this Request's use of the term "receive" as vague. Subject to, and without waiving the General Objections and Specific Objections set forth above, specifically General Objections No. 9 and No. 12, NS objects to Request No. 11 to the extent that the Request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of relevant information. NS further objects to this Request to the extent that it seeks materials that are otherwise readily available or accessible to CN from other sources or otherwise obtainable in a more convenient, less burdensome, or less expensive manner than from Norfolk Southern, including by requesting the materials from the party that responded to the discovery requests. Norfolk Southern also objects to this Request to the extent it seeks materials received by Union Pacific and not in Norfolk Southern's possession, custody or control.

Subject to and without waiving the foregoing objections, in accordance with General Objection No. 16, NS will contemporaneously serve CN a copy of future NS discovery requests on other participants in this proceeding; however, NS will not produce to CN the information and documents we receive from other participants in response to NS's discovery requests.

12. Produce Your complete traffic tape data for the period January 1, 2025 – December 31, 2025, including all available data records for both loaded and empty movements and revenue and non-revenue movements for Your entire system, including standard fields of information and metadata consistent with Your previous productions of traffic tape data in these proceedings.

RESPONSE: Subject to, and without waiving the General Objections and Specific Objections set forth above, specifically General Objections No. 9 and No. 12 and Specific Objection No. 10, NS objects to Request No. 12 to the extent that the Request is overly broad,

unduly burdensome, and not reasonably calculated to lead to the discovery of relevant information. The data sought is not relevant because it is outside the scope of the relevant period of the application submitted to the Surface Transportation Board on December 19, 2025, and the revised application to be submitted pursuant to the Surface Transportation Board's Decision No. 9. The data sought is also beyond the scope of the Surface Transportation Board's Decision No. 2, requiring production of 100% traffic tapes for the period January 1, 2019 through December 31, 2024.

13. Produce data and Documents concerning reciprocal switching for the period from January 1, 2025, through December 31, 2025, including but not limited to car-level movement records, switch lists, interchange logs, line-segment level usage data, and any other records or communications reflecting reciprocal switching arrangements or traffic. To the extent not otherwise encompassed by this request, Your response should include: (1) waybill date, number, and identifiers associated with the switch operation; (2) the switching locations where the actual car switching between roads occur (FSAC, SPLC, Rule 260 junction code, station name, and state/province); (3) local customer information where the switched cars are picked-up or delivered in the switching terminal area (CIF, Parent Customer Name, FSAC, SPLC, station name, and state/province); (4) payment information for that switch; (5) date of operation; (6) equipment initial; and (7) equipment number.

RESPONSE: NS objects to this Request because it is overly broad, unduly burdensome, disproportionate to the needs of this proceeding, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The data sought is not relevant because it is outside the scope of the relevant time period of the application submitted to the Surface Transportation Board on December 19, 2025, and the revised application to be submitted pursuant to the Surface Transportation Board's Decision No. 9. Subject to, and without waiving the General Objections and Specific Objections set forth above, specifically General Objections No. 7, No. 9, and No. 12 and Specific Objection No. 10, NS objects to Request No. 13 to the extent it (i) seeks information in a form that NS does not keep in the ordinary course of business and would require special studies, and/or (ii) seeks information

protected by the attorney-client privilege, the work product privilege, or the joint defense and common interest privilege, and (iii) fails to provide adequate time for a response. NS further objects (1) to undefined terms, including “switch lists,” “interchange logs” and “line-segment-level usage data,” as vague and ambiguous and (2) to the extent it seeks *all* data and documents “reflecting reciprocal switching arrangements” from January 1, 2025 through December 31, 2025 as not proportional to the needs of the above-captioned proceeding, imposing an undue burden on NS, and seeking evidence that will eventually be available through UP and NS’s submissions in this proceeding.

14. Produce Documents sufficient to show all interchange volumes with other carriers, broken down by line, location, and counterparty, together with any associated payments, settlements, or charges between carriers for haulage, switching, or other car handling (including waybill identifiers, car initials and numbers, dates and times, service type, payment types, and amounts), for the period from January 1, 2025 through December 31, 2025, provided at the most disaggregated level maintained in the ordinary course of business.

RESPONSE: NS objects to this Request because it is overly broad, unduly burdensome, disproportionate to the needs of this proceeding, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The data sought is not relevant because it is outside the scope of the relevant time period of the application submitted to the Surface Transportation Board on December 19, 2025, and the revised application to be submitted pursuant to the Surface Transportation Board’s Decision No. 9. Subject to, and without waiving the General Objections and Specific Objections set forth above, specifically General Objections No. 7, No. 9 and No. 12 and Specific Objection No. 10, NS further objects to Request No. 14 to the extent that the Request (i) seeks information in a form that NS does not keep in the ordinary course of business and would require special studies, (ii) is premature and/or seeks information protected by the attorney-client privilege, the work product privilege, or the

joint defense and common interest privilege, (iii) seeks information relating to documents prepared, generated, or received in anticipation of NS's preparation of evidence in the Proposed Transaction, which NS and UP are only in the preliminary stages of preparing, and (iv) seeks a subset of information or data which could be ascertained by CN's review of the data accessible to CN through NS's submission of NS's 100% traffic tapes. NS further objects to the Request No. 14 as vague, to the extent it is unclear whether "for haulage, switching, or other car handling" modifies "charges between carriers" or "interchange volumes with other carriers," to the extent it seeks "any associated payments, settlements, or charges between carriers for... other car handling" without identifying the nature of the definition of requested services performed, and to the extent it uses the undefined term "car handling."

Respectfully submitted,

/s/ **William A. Mullins**

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March 6, 2026

Attorneys for Norfolk Southern Corporation
and Norfolk Southern Railway Company

Exhibit D

From: Kelly, Kevin <Kkelly@cov.com>
Sent: Monday, March 23, 2026 8:10 AM
To: Ellis, Abram J; Brown, Molly; Gridi, Avia; Spencer Naake
Cc: William Mullins; Warren, Matthew J.; Laudone, Stephen S.; Rosenthal, Michael; Razi, Sara Y.; Bohl, Lindsey C.; Valerie O. Quinn
Subject: RE: NS's Responses and Objections to CN's Third Set of Discovery Requests

*** External Email ***

Abram,

We objected to producing data for 2025 in response to CN's Requests 12-14 for the reasons set forth in our responses and objections, as further discussed on our meet and confer, and not only because such data may not be included in the revised application. Nonetheless, Union Pacific can confirm that to the extent it relies on 2025 data responsive to CN's requests in its revised application, it will make that data available to CN.

Best,

Kevin

Kevin Kelly

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www.cov.com

COVINGTON

From: Ellis, Abram J <AEllis@stblaw.com>
Sent: Tuesday, March 17, 2026 2:25 PM
To: Brown, Molly <MBrown@cov.com>; Gridi, Avia <Avia.Gridi@stblaw.com>; Spencer Naake <snaake@mullinslawgroup.net>
Cc: William Mullins <wmullins@mullinslawgroup.net>; Warren, Matthew J. <mjwarren@sidley.com>; Laudone, Stephen S. <slaudone@sidley.com>; Kelly, Kevin <Kkelly@cov.com>; Rosenthal, Michael <mrosenthal@cov.com>; Razi, Sara Y. <Sara.Razi@stblaw.com>; Bohl, Lindsey C. <Lindsey.Bohl@stblaw.com>; Valerie O. Quinn <vquinn@fletcher-sippel.com>
Subject: Re: NS's Responses and Objections to CN's Third Set of Discovery Requests

[EXTERNAL]

All,

As discussed on our March 12, 2026 meet and confer, we understand that UP and NS currently object to providing responses to CN's Requests 12-14 for data through 2025 because it is not clear whether this data will be included in the revised Application. We also understand that—as to NS—to the extent the revised Application relies on 2025 data, NS will make that data available to CN. UP did not expressly make a similar representation — can UP confirm it agrees?

Please confirm our understanding as to your positions. Otherwise, we believe we are at impasse.

From: Brown, Molly <MBrown@cov.com>
Sent: Wednesday, March 11, 2026 3:19:21 AM
To: Gridi, Avia <Avia.Gridi@stblaw.com>; Spencer Naake <snaake@mullinslawgroup.net>
Cc: William Mullins <wmullins@mullinslawgroup.net>; Warren, Matthew J. <mjwarren@sidley.com>; Laudone, Stephen S. <slaudone@sidley.com>; Kelly, Kevin <Kkelly@cov.com>; Rosenthal, Michael <mrosenthal@cov.com>; Razi, Sara Y. <Sara.Razi@stblaw.com>; Ellis, Abram J <AEllis@stblaw.com>; Bohl, Lindsey C. <Lindsey.Bohl@stblaw.com>; Valerie O. Quinn <vquinn@fletcher-sippel.com>
Subject: RE: NS's Responses and Objections to CN's Third Set of Discovery Requests

*** External Email ***

Hi Avia,

We think it makes sense to schedule a joint meet and confer for both UP's and NS's responses and objections. Counsel for UP and NS are both available during the Thursday block, 10:30 AM to 12:00 PM.

Thanks,
Molly

From: Gridi, Avia <Avia.Gridi@stblaw.com>
Sent: Tuesday, March 10, 2026 9:29 AM
To: Spencer Naake <snaake@mullinslawgroup.net>
Cc: William Mullins <wmullins@mullinslawgroup.net>; Warren, Matthew J. <mjwarren@sidley.com>; Laudone, Stephen S. <slaudone@sidley.com>; Kelly, Kevin <Kkelly@cov.com>; Brown, Molly <MBrown@cov.com>; Rosenthal, Michael <mrosenthal@cov.com>; Razi, Sara Y. <Sara.Razi@stblaw.com>; Ellis, Abram J <AEllis@stblaw.com>; Bohl, Lindsey C. <Lindsey.Bohl@stblaw.com>; Valerie O. Quinn <vquinn@fletcher-sippel.com>
Subject: RE: NS's Responses and Objections to CN's Third Set of Discovery Requests

[EXTERNAL]
Counsel –

We would like to schedule a meet and confer regarding NS's responses and objections to CN's Third Set of Discovery Requests. Can you please let us know if you are available any of the below times.

Today, 3/10

- 2:30 PM – 3:00 PM

Wednesday, 3/11

- 11:00 AM – 12:30 PM

Thursday, 3/12

- 10:30 AM – 12:00 PM

Best,
Avia

Avia Gridi
Pronouns: (she/her/hers)
Simpson Thacher & Bartlett LLP
900 G Street, N.W.
Washington, D.C. 20001

T: +1-202-636-5560
avia.gridi@stblaw.com

From: Spencer Naake <snaake@mullinslawgroup.net>
Sent: Friday, March 6, 2026 5:19 PM
To: Razi, Sara Y. <Sara.Razi@stblaw.com>
Cc: William Mullins <wmullins@mullinslawgroup.net>; Warren, Matthew J. <mjwarren@sidley.com>;
Laudone, Stephen S. <slaudone@sidley.com>; Kelly, Kevin <kkelly@cov.com>; Brown, Molly
<mbrown@cov.com>; Mike Rosenthal <mrosenthal@cov.com>
Subject: NS's Responses and Objections to CN's Third Set of Discovery Requests

*** External Email ***

Sara,

On behalf of Norfolk Southern (NS) and Bill Mullins, please find attached NS's responses and objections to CN's Third Set of Discovery Requests.

Regards,

Spencer



Spencer Naake
Senior Associate
2001 L Street NW, Suite 720
Washington, DC 20036
202-663-7829 Direct
202-441-1739 Cell
snaake@mullinslawgroup.net
mullinslawgroup.net

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