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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Chief Counsel
June 16, 2026
Part of
Public Record

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 TO COMPEL

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Attorneys for:
Delta Southern Railroad, Inc.

June 16, 2026

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Delta Southern Railroad, Inc. (“DSRR”), by counsel, pursuant to 49 C.F.R. §§ 1114.21, *et seq.*, and 49 C.F.R. § 1117.1, respectfully move for an order compelling North Louisiana & Arkansas Railroad, Inc. (“NLA”) to supplement its responses and answers to DSRR’s discovery requests dated March 19, 2026, and to answer DSRR’s discovery requests dated May 6, 2026.

BACKGROUND

I. DSRR’s Discovery to NLA.

On March 19, 2026, Delta Southern Railroad, Inc. (“DSRR”) served discovery requests upon the NLA narrowly tailored to discover NLA’s financial position over the last several years. For example, the March 19th discovery sought the following information:

- NLA’s cash on hand as of December 31, 2025, as of December 31, 2024, and as of December 31, 2025;
- The most amount of cash on hand that NLA has had at the end of a calendar month since 2022;
- NLA’s net profit (gross revenues minus expenses) for each of 2022, 2023, 2024, and 2025;
- The amount of outstanding debt for which NLA is all or in part responsible;

- Documents sufficient to show NLA’s year-end financial statements for each of 2023, 2024, and 2025;
- Documents sufficient to show NLA’s profit and loss statement for each of 2023, 2024, and 2025; and
- Documents sufficient to show NLA’s balance sheet for each of 2023, 2024, and 2025.

NLA objected and refused to respond to these requests, claiming such information is irrelevant and immaterial to any aspect of the pending feeder line application, despite also taking the position that NLA will be responsible for the operating expenses associated with the Line in the event the Applicant is successful.¹ On June 15, 2026, Counsel for NLA confirmed that “[w]e continue to take the position that unaudited financial information is irrelevant and immaterial in this proceeding, at least if audited information is available.” *See Exhibit A.*

In April 2026, short line holding company OmniTRAX announced that it would be acquiring three short line railroads,² which were all of NLA’s parent and affiliated companies, but not NLA. As described in the notice in that proceeding: “However, as part of the proposed transaction, OmniTRAX (via ASL Acquisition) and the ‘Seller Owners’ (Daniel B. Robbins, Timothy K. Robbins, and Michael A. Robbins) have agreed that NLA will not convey to ASL Acquisition, and thus will not come under the control of Omni-HGS.” Verified Notice of

¹ DSRR is not now challenging whether that position is legally correct when the applicant must demonstrate its ability to pay the purchase price of the Line and the ability to cover operating expenses for three years. 49 C.F.R. 11151.3(a)(3).

² Namely, the Dardanelle & Russellville Railroad, the Ouachita Railroad, and the Camden & Southern Railroad. *See* STB FD No. 36922.

Exemption of OmniTRAX Holdings Combined, Inc. and HGS Ry. Holdings, Inc. Pursuant to 49 C.F.R. § 1180.2(d)(2), Finance Docket No. 36922 at 4 (STB filed Apr. 27, 2026).

On May 6, 2026, DSRR propounded additional discovery on NLA seeking financial materials prepared and provided to OmniTRAX in connection with the proposed sale. A copy of DSRR's May 6, 2026, discovery requests is attached as **Exhibit B**. NLA did not respond at all to the May 6 set of discovery requests.

ARGUMENT

The Board's regulations provide great flexibility to a party seeking discovery: "Parties may obtain discovery under this subpart regarding any matter, not privileged, which is relevant to the subject matter involved in a proceeding[.]" 49 C.F.R. § 1114.21(a)(1); *see also* ALJ Decision No. 52942 (STB Decided Feb. 27, 2026) at 6. Inadmissibility is not an appropriate objection if the information sought appears to be reasonably calculated to lead to discovery of admissible evidence. 49 C.F.R. § 1114.21(a)(2). Moreover, parties have wide discretion to pursue discovery "in any sequence" and "without filing a petition and obtaining prior Board approval." 49 C.F.R. §§ 1114.21(b) and (d). The Board has not issued any order limiting the method or manner by which DSRR may conduct discovery at this time. And, thus, the Board's general discovery rules remain in effect with full force.

LPPC as applicant must meet all elements of the test set forth in Section 10907 of Title 49. One of those elements is that the sale of the "line will be likely to result in improved transportation for shippers that transport traffic over such line." 49 U.S.C. §10907(c)(1)(E). In the Amended Application, LPPC has proposed that NLA will be the rail carrier to replace DSRR if LPPC were successful in this feeder line case.

NLA's financial stability, ability to operate, ability to invest in the Line is directly relevant to this proceeding. The Second Amended Railway Lease Agreement By and Between LPPC and NLA submitted as Document No. 307561 makes NLA responsible for all maintenance and repair of the Line (in the unlikely event LPPC is successful in this proceeding). Document No. 307561 at Lease §4.2. If NLA fails to maintain and repair the Line, LPPC can do so but at NLA's expense. *Id.* at Lease §4.3. So NLA's financial fitness is directly relevant to whether the substitute carrier selected by LPPC would have the financial ability to provide improved transportation for shippers.

The fact that NLA's financial information, including its 2025 financial information, was filed under seal in Finance Docket No. 36922 eviscerates any burden argument NLA might try to make. It is further clear from related filings that NLA's financial materials for 2025 are available and have been used for other purposes. Verified Notice of Exemption of OmniTRAX Holdings Combined, Inc. and HGS Ry. Holdings, Inc. Pursuant to 49 C.F.R. § 1180.2(d)(2), Finance Docket No. 36922 (STB filed Apr. 27, 2026) (see e.g., highly confidential versions of schedules 4.09(a) and 4.09(f)).

OmniTRAX's decision to purchase all of NLA's affiliates and parent (but not NLA) is a substantial, recent change in this matter that occurred even after DSRR deposed NLA's witness. Given that OmniTRAX was unwilling to buy NLA, presumably because of its financial weaknesses, and the fact that NLA no longer has the financial support of a parent company or affiliates to prop up its financial weaknesses, NLA's financial information is relevant and likely to lead to admissible evidence.

Similarly, all non-privileged communications between NLA and OmniTRAX and documents related to OmniTRAX's decision not to purchase NLA are also relevant and likely to lead to admissible evidence about the health of NLA. Given the recency of this negotiation and

transaction between OmniTRAX and NLA's parent and affiliates, the burden to produce documents related to the discussions with OmniTRAX is minimal.

Accordingly, DSRR seeks an order compelling NLA to respond fully and completely to DSRR's discovery requests, including (i) requiring NLA and LPPC to produce up-to-date financial information in response to the March 19, 2026, discovery requests; (ii) requiring NLA to respond to the May 6, 2026 discovery requests.

CONCLUSION

For the foregoing reasons, DSRR respectfully requests that the Board grant its Motion to Compel.

Respectfully submitted,

John M. Scheib

John M. Scheib
Noah P. Sullivan
William L. Spotswood
Gentry Locke Attorneys
1010 W. Main Street, Suite 750
Norfolk, VA 23510
757-916-3511

Attorneys for:
Delta Southern Railroad, Inc.

June 16, 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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Judge Soulikias
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/s/ John M. Scheib

John M. Scheib
Dated: June 16, 2026

EXHIBIT A

Scheib, John M.

From: Richard Streeter <rhstreeter@gmail.com>
Sent: Monday, June 15, 2026 12:16 PM
To: Scheib, John M.; 'Michael F. McBride'
Cc: Sullivan, Noah P.; Spotswood, William L.; J. Cole Gayle
Subject: RE: NLA and LPPC outstanding discovery

Importance: High

Use Caution: This email originated from an external sender.

We will confirm that the audited financial information for 2025 will be provided when they are received. As of this date, they have not been received. We continue to take the position that unaudited financial information is irrelevant and immaterial in this proceeding, at least if audited information is available. Richard

From: Scheib, John M. <Scheib@gentrylocke.com>
Sent: Monday, June 15, 2026 10:11 AM
To: Michael F. McBride <mfm@vnf.com>; rhstreeter@gmail.com
Cc: Sullivan, Noah P. <NSullivan@gentrylocke.com>; Spotswood, William L. <Spotswood@gentrylocke.com>; J. Cole Gayle <CGayle@gentrylocke.com>
Subject: RE: NLA and LPPC outstanding discovery

Gentlemen:

Can you please confirm that NLA continues to object to providing financial information for 2025 that is currently available despite the fact that some of it was filed by OmniTRAX in FD 36922?

John



John M. Scheib

Direct: 757.916.3511 | Cell: 757.910.7072
VIRGINIA: Norfolk | Roanoke | Lynchburg | Richmond
web | bio | map

This email may contain confidential or privileged information. If you are not the intended recipient, please advise by return email and delete immediately without reading/forwarding to others.

From: Scheib, John M.

Sent: Tuesday, May 26, 2026 11:35 AM

To: 'Michael F. McBride' <mfm@vnf.com>; rhstreeter@gmail.com

Cc: Sullivan, Noah P. <NSullivan@gentrylocke.com>; Spotswood, William L. <Spotswood@gentrylocke.com>; J. Cole Gayle <CGayle@gentrylocke.com>

Subject: RE: NLA and LPPC outstanding discovery

Mike, notwithstanding the designations issue, what is LPPC's and NLA's responses, respectively, to the two issues related to their productions?



John M. Scheib

Direct: 757.916.3511 | Cell: 757.910.7072

VIRGINIA: Norfolk | Roanoke | Lynchburg | Richmond

[web](#) | [bio](#) | [map](#)

This email may contain confidential or privileged information. If you are not the intended recipient, please advise by return email and delete immediately without reading/forwarding to others.

From: Michael F. McBride <mfm@vnf.com>

Sent: Friday, May 22, 2026 2:28 PM

To: Scheib, John M. <Scheib@gentrylocke.com>; rhstreeter@gmail.com

Cc: Sullivan, Noah P. <NSullivan@gentrylocke.com>; Spotswood, William L. <Spotswood@gentrylocke.com>; J. Cole Gayle <CGayle@gentrylocke.com>; Jacob

Brister <jacob@bristerlaw.com>; 'Andy Brister' <andy@bristerlaw.com>; 'Ernesto Cruz' <ernestoc@terralriverservice.com>

Subject: RE: NLA and LPPC outstanding discovery

Use Caution: This email originated from an external sender.

John, before Richard and I deal with the rest of your email, I am including Ernesto, Andy, and Jacob on this email, so that they might state on behalf of their clients whether they think there is anything "highly confidential" in the transcripts of their clients' testimony.

Andy/Ernesto/Jacob, just in case you are not steeped in the STB process John is referring to, "highly confidential" is the term under the applicable Protective Order that would protect from disclosure to anyone but the STB, its staff, outside counsel for another party, and that other party's consultants (who have signed the Protective Order) of information that is commercially sensitive (such as client lists, rates, or

other matters that may be commercially sensitive, such as financial information) or other information that you believe should not be disclosed to the other parties themselves (Delta Southern, Lake Providence Port Commission, North Louisiana & Arkansas Railroad, and SEAEDD). “Confidential” is a separate category that applies to things that are not commercially sensitive or otherwise subject to the “highly confidential” designation, but which the entity providing discovery would prefer not to be publicly available (on the STB website or otherwise).

So, Andy/Ernesto/Jacob, please advise by cc: to all if there is anything you wish to designate as “highly confidential” or “confidential” in your client’s transcripts. If you want to consult with me or Richard about this, please reach out to us separately to discuss.

Regards, Mike

Michael F. McBride | Partner



Washington DC Seattle Bay Area Houston Louisiana

2000 Pennsylvania Ave. NW, Suite 6000
Washington, DC 20006

202.298.1989(office) | 202.413.4785(cell) | mfm@vnf.com | vnf.com

From: Scheib, John M. <Scheib@gentrylocke.com>

Sent: Friday, May 22, 2026 1:51 PM

To: Michael F. McBride <mfm@vnf.com>; rhstreeter@gmail.com

Cc: Sullivan, Noah P. <NSullivan@gentrylocke.com>; Spotswood, William L. <Spotswood@gentrylocke.com>; J. Cole Gayle <CGayle@gentrylocke.com>

Subject: NLA and LPPC outstanding discovery

Mike and Richard:

Based on our last meet-and-confer call, it is our understanding that:

- NLA is not going to provide financial information for 2025 that is currently available.
- LPPC is not going to produce communications related to its bond application.

Can you confirm whether this is still the position taken by each of your clients?

Finally, three deposition transcripts were provisionally labeled “highly confidential” by the court reporter (Gilfoil, Martin, and Amacker). It was agreed on the record that the provisional “HC” designation that would go away if no one designated anything. For example, the Martin and Amacker transcripts discuss this agreement. The transcripts have been complete, and there were no designations of anything in the transcript itself to be confidential or highly confidential. If we missed any designation with respect to any of these three depositions, please advise.

Thanks
John



John M. Scheib

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VIRGINIA: Norfolk | Roanoke | Lynchburg | Richmond
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EXHIBIT B

**North Louisiana & Arkansas Responses to Requests for Admission, Third
Set of Interrogatories and Second Set of Requests for Production of
Documents Propounded by Delta Southern Railroad, Inc.**

Pursuant to 49 CFR Part 1114 and other applicable rules and authority, North Louisiana & Arkansas Railroad (“NLA”), responds as follows to the Requests for Admission, Third Set of Interrogatories and Second Set of Requests for Production of Documents propounded by Delta Southern Railroad, Inc. (“DSRR”) on March 19, 2026.¹

GENERAL OBJECTIONS

NLA’s General Objections, set forth herein, apply to each and every one of the specific Interrogatories and Discovery requests that follow. These general objections are not exhaustive and, where appropriate, NLA will also state specific objections. NLA’s objections shall not waive, limit, or prejudice any objections it may later assert.

1. NLA objects to each and every Interrogatory and Request of Production of Documents (“RFP”) to the extent they seek to impose obligations on NLA greater than or inconsistent with those imposed under 49 CFR Part

¹ The Interrogatories were mislabeled as DSRR’s Fourth Set of Interrogatories by DSRR’s counsel, who agreed that they are DSRR’s Third Set of Interrogatories to NLA, and similarly the Requests for Production of Documents were mislabeled as DSRR’s Third Set, but DSRR’s counsel agreed they are DSRR’s Second Set of Requests for Production. March 30, 2026 email to NLA’s counsel.

1114 Subpart B. NLA further objects to any and all definitions and or instructions to the extent they either expand upon or conflict with 49 CFR Part 1114 Subpart B.

2. NLA objects to each and every Interrogatory and RFP to the extent it seeks materials protected by the attorney-client privilege, the attorney-work product doctrine, the First Amendment privilege to petition the government for redress of grievances, or any other applicable privilege, protection or exception from discovery or disclosure. In the event that any such privileged, protected, or exempt information is inadvertently produced or provided, such disclosure or production is not intended as, and should not be construed as, a waiver of any applicable privilege, protection or exemption.

3. NLA objects to each and every interrogatory and RFP to the extent they seek information or data that is not relevant to the subject matter of this proceeding and is not likely to lead to the discovery of admissible evidence.

4. NLA objects to each and every Interrogatory to the extent they ask for inappropriate legal conclusions, including conclusions as to the legal significance of underlying facts.

5. NLA objects to each and every Interrogatory and RFP to the extent that they are: (a) overly broad; (b) vague or ambiguous; (c) fails to describe with reasonable particularity the information sought; (d) seeks information that is not within the possession, custody, or control of LPPC; or (e) would impose an undue burden that outweighs any relevance or probative value the information sought may have in this proceeding.

6. NLA objects to each and every Interrogatory and RFP to the extent they are duplicative.

7. NLA objects to each and every Interrogatory and RFP to the extent they request information or material that is: (a) already in the possession of DSRR; (b) publicly available or otherwise readily available or accessible to DSRR from other sources; or (c) as accessible or available to DSRR as it is to NLA and producing responsive information would impose substantially the same or greater burden on NLA as it would impose on DSRR.

8. NLA objects to each and every Interrogatory and RFP to the extent that they request information or material that relates to: (a) the use of funds from any government grant that has recognized the public interest in providing funds to be used to construct or rehabilitate rail infrastructure; or (b) the use of such funds to fulfill the objectives of the grant.

9. NLA objects to each and every Interrogatory and RFP to the extent that they are not relevant to the issue of valuation, which is the only subject as to which the Surface Transportation Board (“STB”) ordered further discovery in its Decision served herein on November 20, 2023, slip op. at 16; see also, Decision served herein on December 11, 2023, at 1, citing Decision served herein on November 20, 2023, Decision at 16.

10. These general objections are incorporated by reference into the following responses.

SPECIFIC RESPONSES AND OBJECTIONS TO DELTA SOUTHERN RAILROAD, INC.’S REQUESTS FOR ADMISSION AND FOURTH (sic) SET OF INTERROGATORIES AND THIRD (sic) SET OF REQUESTS FOR PRODUCTION TO NORTH LOUISIANA & ARKANSAS RAILROAD

Pursuant to 49 CFR Part 1114 and other applicable rules and authority, NLA by counsel, responds as follows:

SPECIFIC RESPONSES AND OBJECTIONS TO REQUESTS FOR ADMISSIONS (“RFAs”) INTERROGATORIES, AND REQUESTS FOR PRODUCTION OF DOCUMENTS (“FRPs”)

NLA specifically responds that both NLA and DSRR are aware that all of NLA’s Customers and potential Customers of NLA stopped requesting service after DSRR denied rail service of the segment of the Line between MP 471.0 and 491.0 in August 2017, namely Complex Chemical, Bayou Bioglycerin, Epstein Gin, and Epstein Transloading Company.

RFAs NO. 1.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2020.

Admitted.

RFA NO. 2.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2021.

Admitted.

RFA NO. 3.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2022 other than the Schnabel car that was interchanged between NLA and DSRR.

Admitted.

RFA NO. 4.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2023.

Admitted.

RFA NO. 5.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2024.

Admitted.

RFA NO. 6.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2025.

Admitted.

RFA NO. 7.

Admit that it has received no requests from any shipper for NLA to interchange with DSRR in 2026.

Admitted.

RFA NO. 8.

Admit that Stepan Company has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 9.

Admit that Clearwater Paper Corporation has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 10.

Admit that Riceland Foods has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 11.

Admit that Hensley Farms (f/ka/ Big River Grain) has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 12.

Admit that Helena Chemical has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 13.

Admit that Nutrien (f/k/a CPS) has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 14.

Admit that Simplot has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 15.

Admit that Gavilon (f/k/a CHS) has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 16.

Admit that APEX has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 17.

Admit that Scott Petroleum has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 18.

Admit that Bayou Bioenergy has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 19.

Admit that John Deere has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 20.

Admit that Hollybrook has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 21.

Admit that PotlatchDeltic has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 22.

Admit that FW Hobbs has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 23.

Admit that Slipknot (f/k/a Lake Village Seed) has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted

RFA NO. 24.

Admit that Helena Chemical has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 25.

Admit that Livingston Pecan & Metals has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 26.

Admit that Anderson Trade Group has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 27.

Admit that Greenfield (f/k/a Big River Grain) has not made a request of NLA for rail service involving DSRR since at least 2019.

Admitted.

RFA NO. 28.

Admit that NLA will not be the purchaser of the Line if the Surface Transportation Board were to grant the Amended Application.

Admitted.

RFA NO. 29.

Admit that NLA will not be responsible for any part of the payment to acquire the Line if the Surface Transportation Board were to grant the Amended Application.

Admitted.

RFA NO. 30.

Admit that NLA will not be responsible for the operating expenses of the Line if the Surface Transportation Board were to grant the Amended Application.

Denied.

INTERROGATORIES

INTERROGATORY NO. 69.

If you deny any of RFAs Nos. 1-7, as to each RFA denied, separately state all facts supporting the basis for your denial, including:

- a. the request made;
- b. the requesting party;
- c. the date of the request;
- d. the commodity;
- e. the number of railcars to be interchanged;
- f. the person at DSRR to whom the request was communicated; and
- g. the date of the communication to DSRR.

INTERROGATORY NO. 70.

If you deny any of RFAs Nos. 8-27, as to each RFA denied, separately state all facts supporting

the basis for your denial, including:

- a. the request made;
- b. the date of the request;
- c. the commodity;
- d. the number of railcars to be interchanged;
- e. the person at DSRR to whom the request was communicated; and
- f. the date of the communication to DSRR.

INTERROGATORY NO. 71.

Provide the total dollars spent by NLA, by segment, on each of Segment A, Segment B, and Segment C of the rail line from MP 408.0 to 471.0 and on the rail track inside Lake Providence Port.

Response: NLA specifically objects to this Interrogatory because the amounts spent to rehabilitate Segments A, B, and C following DSR's abandonment of those segments between 2024 and 2011 have no impact on DSR and DSR's common carrier obligations to properly maintain the segment of the rail corridor between MP 471.0 and MP 498.44, and therefore are neither relevant nor likely to lead to discovery of relevant information. Furthermore, NLA is not seeking to recover any funds from DSR that NLA spent to rehabilitate any of its own facilities.

INTERROGATORY NO. 72.

Identify the time period covered by paragraph 13 of Mr. Robbins VS executed the 28th day of December, 2022.

Response: 2017 to the Date of Statement.

INTERROGATORY NO. 73.

Identify the time period covered by paragraph 14 of Mr. Robbins VS executed the 28th day of December, 2022.

Response: 2017 to the Date of Statement.

INTERROGATORY NO. 74.

Identify the time period covered by paragraph 18 of Mr. Robbins VS executed the 28th day of December, 2022.

Response: 2017 to the Date of Statement.

INTERROGATORY NO. 75.

Identify the time period covered by paragraph 22 of Mr. Robbins VS executed the 28th day of December, 2022.

Response: 2017 to the Date of Statement.

INTERROGATORY NO. 76.

Identify the time period covered by paragraph 29 of Mr. Robbins VS executed on the 28th day of December, 2022.

Response: 2017 to the Date of Statement.

INTERROGATORY NO. 77.

Please state NLA's cash on hand as of December 31, 2025, as of December 31, 2024, and as of December 31, 2023.

Response: NLA specifically objects to this Interrogatory because the amount of cash on hand on any of the above stated dates is irrelevant and immaterial to any aspect of the pending Amended Application, and would be burdensome to produce, even if was possible. Accordingly, the amount of cash is neither relevant nor likely to lead to the discovery of relevant information. Accordingly, NLA declines to provide this information.

INTERROGATORY NO. 78.

Please state the most amount of cash on hand that NLA has had at the end of a calendar month since 2022.

Response: NLA specifically objects to this Interrogatory because the amount of cash on hand on any of the above stated dates is irrelevant and immaterial to any aspect of the pending Amended Application, and would be burdensome to produce, even if was possible. Accordingly,, the amount of cash is neither relevant nor likely to lead to the discovery of relevant information. Accordingly, NLA declines to provide this information.

INTERROGATORY NO. 79.

Please provide NLA's net profit (gross revenues minus expenses) for each of 2022, 2023, 2024, and 2025.

Response: NLA specifically objects to this Interrogatory because the amount of cash on hand on any of the above stated dates is irrelevant and immaterial to any aspect of the pending Amended Application, and would be burdensome to

produce, even if was possible. Accordingly, the amount of cash is neither relevant nor likely to lead to the discovery of relevant information. Accordingly, NLA declines to provide this information.

INTERROGATORY NO. 80.

Please state the amount of outstanding debt for which NLA is all or in part responsible.

Response: NLA specifically objects to this Interrogatory because the amount of cash on hand on any of the above stated dates is irrelevant and immaterial to any aspect of the pending feeder line application, and would be burdensome to produce, even if was possible. Furthermore, the amount of cash is neither relevant nor likely to lead to the discovery of relevant information. Accordingly, NLA declines to provide this information.

INTERROGATORY NO. 81

For each customer listed in this interrogatory, which are shippers listed in Amended Application, Exhibit J, Attachment 4 as clients of NLA, state whether each entity is a shipper or receiver of rail freight:

- a. Livingston Pecan & Metals Would be a shipper.
- b. Epstein Gin & Transloading Both.
- c. Stepan Company N/A.
- d. Riceland Foods Shipper.
- e. Sullivan Log Yard Shipper.
- f. Hensley Farms (f/ka/ Big River Grain) Shipper.
- g. Greenfield (f/k/a Big River Grain) Both.

- h. Nutrien (f/k/a CPS) Receiver.
- i. Simplot (f/k/a Lake Village Seed and Tire) Receiver.
- j. Gavilon (f/k/a CHS) Receiver.
- k. APEX Shipper.
- l. Scott Petroleum Shipper.
- m. Complex Chemical Both.
- n. John Deere Receiver.
- o. Rail Vehicle Service Both.
- p. Hollybrook Gins & Warehouse N/A.
- q. Helena Chemical Receiver.
- r. Clearwater Paper Company Shipper.
- s. Terral River Services Both.
- t. Anderson Trade Group Shipper.

INTERROGATORY NO. 82

For each customer listed in this interrogatory, state whether each entity is a receiver or shipper of rail freight:

- a. PotlatchDeltic Shipper.
- b. FW Cobbs Shipper.
- c. Slipknot (f/k/a Lake Village Seed) Receiver.
- d. Bayou Bioenergy Shipper.

INTERROGATORY NO. 83

To the extent NLA is unable to answer as to any individual entity identified in Interrogatories 81 or 82, above, state with specificity as to each entity the reason NLA is unable to answer.

N/A.

INTERROGATORY NO. 84

For each customer listed in this interrogatory, which are shippers listed in Amended Application, Exhibit J, Attachment 4 as clients of NLA, state whether each entity is a payor for rail freight service:

- a. Livingston Pecan & Metals
- b. Epstein Gin & Transloading
- c. Stepan Company
- d. Riceland Foods
- e. Sullivan Log Yard
- f. Hensley Farms (f/ka/ Big River Grain)
- t. Greenfield (f/k/a Big River Grain)
- u. Nutrien (f/k/a CPS)
- v. Simplot (f/k/a Lake Village Seed and Tire)
- w. Gaviolon (f/k/a CHS)
- x. APEX
- y. Scott Petroleum
- z. Complex Chemical
- aa. John Deere

- bb. Rail Vehicle Service
- cc. Hollybrook Gins & Warehouse
- dd. Helena Chemical
- ee. Clearwater Paper Company
- ff. Terral River Services
- gg. Anderson Trade Group

Response: Unknown to all. NLA is a handling-line carrier and does not send out freight bills.

INTERROGATORY NO. 85

For each customer listed in this interrogatory, state whether each entity is a payor for rail freight service:

- a. PotlatchDeltic
- b. FW Cobbs
- c. Slipknot (f/k/a Lake Village Seed)
- d. Bayou Bio energy

Response: Unknown to all. NLA is a handling-line carrier and does not send out freight bills.

INTERROGATORY NO. 86

If NLA is unable to answer as to any individual entity identified in Interrogatories 84 or 85, state with specificity as to each entity the reason NLA is unable to answer.

Response: Unknown to all. NLA is a handling-line carrier and does not send out freight bills.

INTERROGATORY NO. 87

If NLA denies RFA 29 or 30, please explain what entity NLA expects to pay for the Line, to pay the operating expenses of the Line, to pay the capital expenses on the Line, and to pay the maintenance expenses associated with the Line, including what responsibility is as to each.

Response: The response to FRA #30 is denied because NLA will be responsible for operating costs. See Second Amended Lease Agreement By and Between LPPC and NLA, dated January 4, 2023, submitted November 30, 2023 STB Doc. #307561.

REQUESTS FOR PRODUCTION OF DOCUMENTS (“RFPs”)

RFP NO. 36.

Produce documents sufficient to show NLA’s year-end financial statements for each of 2023, 2024, and 2025.

Response: NLA’s year-end financial statements dates for 2023, 2024, and 2025 are irrelevant and immaterial to any aspect of the pending feeder line application, Furthermore, such statements are not relevant nor likely to lead to

the discovery of admissible evidence. Accordingly, NLA declines to provide this information.

RFP NO. 37.

Produce documents sufficient to show NLA's profit and loss statement for each of 2023, 2024, and 2025.

Response: NLA's profit and loss statements for 2023, 2024, and 2025 are irrelevant and immaterial to any aspect of the pending feeder line application. Furthermore, such statements are not likely to lead to the discovery of admissible evidence. Accordingly, NLA declines to provide this information.

RFP NO. 38.

Produce documents sufficient to show NLA's balance sheet for each of 2023, 2024, and 2025.

Response: NLA's balance sheets for 2023, 2024, and 2025 are irrelevant and immaterial to any aspect of the pending feeder line application. Furthermore, such statements are not relevant nor likely to lead to the discovery of admissible evidence. Accordingly, NLA declines to provide this information.

**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 FOURTH SET OF INTERROGATORIES
AND THIRD SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO
NORTH LOUISIANA & ARKANSAS RAILROAD**

Delta Southern Railroad, Inc. (“DSRR”), through counsel, hereby serves this Fourth Set of Interrogatories, and Third Set of Requests for Production of Documents upon the North Louisiana & Arkansas Railroad (“NLA”) in the above-captioned matter, pursuant to 49 C.F.R §§ 1114.26 and 1114.30. NLA’s responses and any objections are due to be served on DSRR in accordance with paragraph 19 of the “Instructions and Definitions” herein.

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, cloud storage, 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. When asked to “describe” or “explain in detail” or “describe in detail” an act, occurrence, event, transaction or communication, the description or explanation should include, but is not limited to, the following:

- a. The date, time and place;
- b. The name of each person present, whether or not a participant;
- c. The explanation or description should reference underlying facts rather than ultimate facts or conclusions of fact or law.

3. If any of the information included in the answers to these interrogatories is not within the personal knowledge of the person certifying the answers to these interrogatories, so indicate in each instance where such information is included, and identify each person and/or document from whom/which such information was obtained.

4. 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.

5. “Identify” with respect to a document means set forth the following information, if known: a general description (e.g., letter, memorandum, report, etc.); a brief summary of its contents, or a description of the subject matter it concerns; the name and address of the persons, if any, who drafted, prepared, compiled or signed it; and any other descriptive information necessary in order to adequately describe it in a subpoena *duces tecum* or in a motion or request for production.

6. “Identify” with respect to a person means set forth the person’s full name, last known home address and telephone number, cellphone number, email address, current occupation and position, the last known address and telephone number of the person's place of employment and his job title.

7. “Identify,” when referring to any communication, means to state the date of the communication; the nature of the communication (oral, written, etc.); the identity of the parties to the communication; the subject matter of the communication; and the identity of any documents arising from, reflecting, recording, or relating to the communication.

8. 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.

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

10. “LPPC” shall mean the Lake Providence Port Commission, 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.

11. “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.

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

13. 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.

14. “SEAEDD” shall mean the Southeast Arkansas Economic Development District, 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.

15. “MPPC” shall mean Madison Parish Port Commission 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.

16. “OmniTRAX” shall mean OmniTRAX, 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.

17. “Amended Application” shall mean the Amended Feeder Line Application filed in STB Finance Docket No. 36447 on January 4, 2023.

18. “Dardanelle & Russellville Railroad” shall mean the railroad and Arkansas Short Line Railroads, Inc. (d/b/a Dardanelle & Russellville Railroad) as referenced in STB Finance Docket No. 36922.

19. The Interrogatories herein are to be answered under oath within thirty (30) days of service. The documents and things requested herein are to be produced within thirty (30) days of service at the offices of Gentry Locke, 101 W. Main Street, Suite 750, Norfolk, VA 23510. You may produce requests for admission, interrogatories, and documents electronically, via email to scheib@gentrylocke.com.

20. These discovery requests are continuing, and you must supplement your responses if you obtain further or different information.

21. Unless otherwise specified, the time period for these requests is January 1, 2017 to the present.

INTERROGATORIES

INTERROGATORY NO. 67.

Identify NLA’s “cash on hand” at the end of each fiscal quarter for 2025 and 2026.

INTERROGATORY NO. 68.

Identify and describe any and all outstanding debt for which NLA, its new parent, or both, will be responsible, in whole or in part, if the STB approves the transaction proposed in Finance Docket No. 36922. Include in your response the debt amounts, debt type, term, remaining term, and all debt-holders.

INTERROGATORY NO. 69.

Describe the corporate structure for NLA, its parents, subsidiaries, and affiliates that will result if the STB approves the transaction proposed in Finance Docket No. 36922.

INTERROGATORY NO. 70.

Identify and describe all communications with OmniTRAX regarding a potential sale of NLA, including those that resulted in NLA being removed from the Stock Purchase Agreement filed in STB Finance Docket No. 36922.

REQUESTS FOR PRODUCTION OF DOCUMENTS

RFP NO. 25.

Produce all documents relating to or concerning NLA that were provided to OmniTRAX in connection with the sale of the Dardanelle & Russellville Railroad, Ouachita Railroad, and Camden & Southern Railroad, including, but not limited to, all documents produced in due diligence reviews.

RFP NO. 26.

Produce all documents and communications relating to or concerning a potential sale of NLA to OmniTRAX, including all documents related to the decision not to include or to remove NLA in the deal that resulted in the sale of the Dardanelle & Russellville Railroad, Ouachita Railroad, and Camden & Southern Railroad to OmniTRAX.

RFP NO. 27.

Produce all documents relating to or concerning LPPC or SEAEDD that were provided to OmniTRAX in connection with the sale of the Dardanelle & Russellville Railroad, Ouachita Railroad, and Camden & Southern Railroad, including, but not limited to, all documents produced in due diligence reviews.

RFP NO. 28.

Produce all documents relating to or concerning DSRR that were provided to OmniTRAX in connection with the sale of the Dardanelle & Russellville Railroad, Ouachita Railroad, and Camden & Southern Railroad, including, but not limited to, all documents produced in due diligence reviews.

RFP NO. 29.

Produce all documents relating to or concerning grants, grant funds, grant applications, and/or grant denials, involving or relating to NLA, that were provided to OmniTRAX in connection with the sale of the Dardanelle & Russellville Railroad, Ouachita Railroad, and Camden & Southern Railroad, including, but not limited to, all documents produced in due diligence reviews.

RFP NO. 30.

Produce all surveys, projections, estimates, and/or forecasts concerning NLA's rail service, including forecasts of traffic to be interchanged with DSRR, that were provided to OmniTRAX in connection with the sale of the Dardanelle & Russellville Railroad, Ouachita Railroad, and

Camden & Southern Railroad, including, but not limited to, all documents produced in due diligence reviews.

/s/ John M. Scheib

John M. Scheib
Noah P. Sullivan
William Spotswood
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757-916-3511

Attorneys for:
Delta Southern Railroad Inc.

Dated: May 6, 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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Judge Soulikias
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/s/ John M. Scheib

John M. Scheib
Dated: May 6, 2026

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