

BEFORE THE SURFACE TRANSPORTATION BOARD ENTERED

Union Pacific Corporation and Union Pacific Railroad Company

Office of Chief Counsel

September 3, 2026

— Control —

Part of

Public Record

Norfolk Southern Corporation and Norfolk Southern Railway Company

Docket No. FD 36873

NOTICE OF INTENT TO PARTICIPATE

Pursuant to the Board's regulations governing major transactions, 49 C.F.R. part 1180, and the Board's decision served August 18, 2026 adopting a procedural schedule in this docket, the undersigned, Brian S. Smith, an individual, hereby files this Notice of Intent to Participate in the above-captioned proceeding.

The undersigned is an interested member of the public concerned with the operational safety, infrastructure integrity, environmental compliance, and public-interest implications of the proposed control transaction. The undersigned intends to monitor this proceeding and, at the appropriate stage under the procedural schedule adopted by the Board, may submit comments, evidence, or requests for conditions.

By filing this Notice, the undersigned takes no position on the merits of the proposed transaction at this time and expressly reserves all rights to participate fully in this proceeding as a party of record.

The undersigned respectfully requests to be added to the service list for Docket No. FD 36873 as a Party of Record and to receive copies of all filings, notices, and decisions issued in this proceeding.

Respectfully submitted,

/s/ Brian S. Smith

Brian S. Smith

8014 Cumming Hwy

Suite 403-169

Canton, GA 30115

smithbss.sti@gmail.com

770-575-0943

Dated: September 3, 2026

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below I caused a copy of the foregoing Notice of Intent to Participate to be served by United States Postal Service Priority Mail Express, postage prepaid, in accordance with the Board's decision served August 18, 2026 adopting a procedural schedule in this docket, upon each of the following: (1) the Secretary of Transportation, 1200 New Jersey Avenue, S.E., Washington, DC 20590; (2) the Attorney General of the United States, c/o Assistant Attorney General, Antitrust Division, Room 3109, Department of Justice, Washington, DC 20530; (3) Michael L. Rosenthal, Covington & Burling LLP, 850 Tenth Street, N.W., Washington, DC 20001, counsel for Union Pacific; and (4) Raymond A. Atkins, Sidley Austin LLP, 1501 K Street, N.W., Washington, DC 20005, counsel for Norfolk Southern.

/s/ Brian S. Smith

Brian S. Smith Dated: September 3, 2026