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SERVICE DATE – OCTOBER 16, 2026

SURFACE TRANSPORTATION BOARD

Docket No. FD 36873

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

ORDER GRANTING CPKC'S
MOTION FOR ISSUANCE OF SUBPOENAS
TO JOHN ORR AND LANCE FRITZ

Decision No. 42

Decided: October 16, 2026

Discovery is before the undersigned pursuant to a ruling by the Surface Transportation Board. See Decision (Aug. 28, 2025).

In STB proceedings, parties are entitled to discovery “regarding any matter, not privileged, which is relevant to the subject matter involved in a proceeding.” 49 C.F.R. § 1114.21(a)(1)) (scope). “It is not grounds for objection that the information sought will be inadmissible as evidence if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.” 49 C.F.R. § 1114.21(a)(2) (relevance). The Board may subpoena a non-party “witness to take a deposition, produce the records, or both.” 49 U.S.C. § 1321(d)(1).

On October 8, 2026, CPKC submitted a letter motion and requested issuance of a subpoena for non-party witness, John Orr. (See CPKC Letter Motion 1, Oct. 8, 2026.) CPKC’s letter states that counsel conferred and agreed on a date, time, and place for Mr. Orr’s deposition. (Id.) There is no opposition to the issuance of this subpoena, and the motion is granted.

CPKC also requested issuance of a subpoena for non-party witness, Lance Fritz. (See CPKC Letter Motion 1, Oct. 8, 2026.) Subsequently, on October 13, 2026, CPKC advised that counsel agreed on the date, time, and location of Mr. Fritz’s deposition. (CPKC Update Letter, Oct. 13, 2026.) There is no opposition to the issuance of this subpoena, and the motion is granted.

It is ordered:

1. CPKC's Motion for Issuance of Subpoenas to John Orr and Lance Fritz is Granted. The subpoenas are attached to this decision.

2. This decision is effective on the date of service.

By the Board, Jenifer J. Soulikias, Administrative Law Judge.

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

SUBPOENA TO JOHN ORR FOR DEPOSITION TESTIMONY

To: John Orr
c/o Cody Reaves
Torridon Law
801 17th St NW
Suite 1100
Washington, DC 20006

Pursuant to the rules of the Surface Transportation Board governing discovery, 49 C.F.R. § 1114, *et seq.*, the Board's statutory authority to subpoena witnesses, 49 U.S.C. § 1321, and by Order of the Board:

YOU ARE HEREBY COMMANDED to appear, unless otherwise agreed by the parties, at the offices of Sullivan & Cromwell, 1700 New York Avenue, N.W., Suite 700, Washington D.C. 20006 at 9:00 AM prevailing Eastern Time October 22, 2026, to provide testimony by oral deposition at the request of Canadian Pacific Railway Company d/b/a Canadian Pacific Kansas City and CPKC, on behalf of itself and its U.S. rail carrier subsidiaries, in the above-captioned proceeding. The date, time and location of the deposition may be modified by mutual agreement, consistent with the procedures for scheduling depositions set forth in the Discovery Guidelines entered in the above-captioned proceeding. *See* Decision No. 24 (served June 18,

2026). The deposition will be in person and recorded by stenographic means and videotape. The deposition will be taken before a Notary Public or other officer authorized by law to administer oaths. The deposition is anticipated to be completed within seven hours.

DATED: October 16, 2026

Administrative Law Judge Jenifer J. Soulikias: _____

JENIFER J.

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JENIFER J. SOULIKIAS -S

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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

SUBPOENA TO LANCE FRITZ FOR DEPOSITION TESTIMONY

To: Lance Fritz
c/o Kevin Kelly
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001

Pursuant to the rules of the Surface Transportation Board governing discovery, 49 C.F.R. § 1114, *et seq.*, the Board's statutory authority to subpoena witnesses, 49 U.S.C. § 1321, and by Order of the Board:

YOU ARE HEREBY COMMANDED to appear, unless otherwise agreed by the parties, at the offices of Baird Holm LLP, 1700 Farnam Street #1500, Omaha, NE 68102 at 8:00 AM prevailing Central Time November 3, 2026, to provide testimony by oral deposition at the request of Canadian Pacific Railway Company d/b/a Canadian Pacific Kansas City and CPKC, on behalf of itself and its U.S. rail carrier subsidiaries, in the above-captioned proceeding. The date, time and location of the deposition may be modified by mutual agreement, consistent with the procedures for scheduling depositions set forth in the Discovery Guidelines entered in the above-captioned proceeding. *See* Decision No. 24 (served June 18, 2026). The deposition will

be in person and recorded by stenographic means and videotape. The deposition will be taken before a Notary Public or other officer authorized by law to administer oaths. The deposition is anticipated to be completed within seven hours.

DATED: October 16, 2026

Administrative Law Judge Jenifer J. Soulikias: _____

JENIFER J.

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