

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

244862
244864
244866
244867

NORTH AMERICA FREIGHT CAR)
ASSOCIATION; AMERICAN FUEL &)
PETROCHEMICALS MANUFACTURERS;)
THE CHLORINE INSTITUTE; THE)
FERTILIZER INSTITUTE; AMERICAN)
CHEMISTRY COUNCIL; ETHANOL)
PRODUCTS, LLC D/B/A POET ETHANOL)
PRODUCTS; POET NUTRITION, INC.; and)
CARGILL INCORPORATED)
Complainants,)
vs.)
UNION PACIFIC RAILROAD COMPANY,)
Defendant.)

ENTERED
Office of Proceedings
December 14, 2017
Part of
Public Record

NOR 42144, 42150, 42152, 42153

Weekly Status Report of Arkema Inc.—December 14, 2017

Complainant Arkema Inc., submits this weekly status report on discovery progress pursuant to the Order that Administrative Judge Dring issued on March 2, 2017, in this proceeding.

1. Progress of Discovery

Arkema continues to review hard-copy records for responsiveness. Today, it produced approximately 500 records to Union Pacific. Arkema will continue to review and produce records on a rolling basis.

2. Outstanding Discovery Concerns

Arkema has proposed certain measures to UP to expedite Arkema's review of electronic documents. Union Pacific is considering this request.

3. Plans to Address Outstanding Discovery

Arkema is collecting and reviewing records on a rolling basis to facilitate responses to Union Pacific's discovery requests.

4. Estimate of Time to Address Concerns

Union Pacific has followed up with Arkema concerning Arkema's proposals to expedite discovery, but has not advised Arkema of its position on the proposal. Arkema expects that Union Pacific will provide a decision or make a counterproposal in the next week.

Arkema is attempting to complete its production by December 31, 2017, to align with the discovery deadline in the Valero and Tesoro cases. Although Arkema cannot make a firm commitment to completing its document production by December 31st, it believes that any outstanding production will be completed by January 31, 2017.

Respectfully submitted,

/s/ Jason D. Tutrone
Jeffrey O. Moreno
Jason D. Tutrone
Thompson Hine LLP
1919 M St. NW, Suite 700
Washington, DC 20036
(202) 331-8800

Counsel for Arkema Inc.

Date: December 14, 2017

Certificate of Service

I certify that, on December 14, 2017, I caused a copy of the foregoing document to be served by e-mail on counsel for all parties of record in this proceeding and on the Honorable John P. Dring of the Federal Energy Regulatory Commission.

/s/ Jason D. Tutrone
Jason D. Tutrone