

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1666
CHICAGO, ILLINOIS 60604-1228
TELEPHONE (312) 236-0204
mcfarland@aol.com

246878

ENTERED
Office of Proceedings
December 10, 2018
Part of
Public Record

THOMAS F. MCFARLAND

December 10, 2018

By e-filing

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

NOR 42160

Re: STB Docket No. ~~FD-36240~~, *Denver Rock Island Railroad Company v. The City and County of Denver, Colorado*

Dear Ms. Brown:

Representatives of Complainant Denver Rock Island Railroad Company (DRIR) and Defendants The City and County of Denver, Colorado (CCD) recently met and conferred in regard to discovery and procedural matters, as required by 49 C.F.R. § 1111.10(a). This is a Report of DRIR required by that regulation setting forth a proposed procedural schedule to govern future activities and deadlines in the above case.

DRIR contemplates little or no discovery. Consequently, DRIR has agreed that discovery, if any, will be conducted informally during December, 2018. DRIR suggests the following proposed procedural schedule for the filing of evidence and argument:

Complainant's Opening Statement	January 16, 2019
Defendants' Reply Statement	February 15, 2019
Complainant's Rebuttal Statement	March 1, 2019

Very truly yours,

Tom McFarland

Thomas F. McFarland
*Attorney for Denver Rock
Island Railroad*

TMcF:mg:enc\1700\efSTB3

THOMAS F. McFARLAND, P.C.

Ms. Cynthia T. Brown, Chief

December 10, 2018

Page 2

cc: Charles A. Spitulnik, *cspitulnik@kaplankirsch.com*
Allison I. Fultz, *afultz@kaplankirsch.com*