

EXPEDITED ACTION REQUESTED

242886

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
March 31, 2017
Part of
Public Record

STB Docket FD 35981

PETITION FOR DECLARATORY ORDER – FINCH PAPER LLC

JOINT MOTION TO AMEND PROCEDURAL SCHEDULE

In accordance with the decision issued in this proceeding on March 24, 2017, Finch Paper LLC (“Finch”) and the Delaware and Hudson Railway Company d/b/a Canadian Pacific (“CP”), hereby file this joint motion to amend the procedural schedule in this proceeding to allow for the completion of discovery, supplementing their respective Opening and Reply filings, as necessary, and the filing of rebuttal evidence by Finch. Pursuant to discussions between counsel for the parties in a telephone conference held on March 29, 2017, the parties submit the following schedule for approval by the Board:

Day 0	Date of service of decision granting this Joint Motion
Day 35	Completion of CP responses to Finch discovery requests in accordance with the ALJ’s January 18, 2017 discovery order
Day 50	Deadline for Finch to complete any follow up to CP production
Day 75	Finch’s Supplemental Opening Submission
Day 95	CP’s Supplemental Reply Submission
Day 110	Finch’s Rebuttal Submission

WHEREFORE, the parties respectfully request the Board to grant this Joint Motion.

Respectfully submitted,

DELAWARE and HUDSON RAILWAY
COMPANY d/b/a Canadian Pacific

FINCH PAPER LLC

/s/David F. Rifkind
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Dated: March 31, 2017

CERTIFICATE OF SERVICE

I do hereby certify that on this 31st day of March 2017, I have served a copy of the foregoing Joint Motion to Amend Procedural Schedule by first class mail and/or electronic mail to:

David F. Rifkind, Esq.
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/s/ Thomas W. Wilcox_____
Thomas W. Wilcox