

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

246712

ENTERED
Office of Proceedings
November 1, 2018
Part of
Public Record

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,

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

STB Docket Nos. NOR 42144, *et al.*
(Consolidated)

UNION PACIFIC'S BI-WEEKLY STATUS REPORT FOR NOVEMBER 1, 2018

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November 1, 2018

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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	)	STB Docket Nos. NOR 42144, <i>et al.</i>
CARGILL INCORPORATED,	)	(Consolidated)
	)	
Complainants,	)	
	)	
v.	)	
	)	
UNION PACIFIC RAILROAD COMPANY,	)	
	)	
Defendant.	)	
	)	

In accordance with the May 4, 2018, order of Administrative Law Judge John P. Dring, Union Pacific submits the following discovery status report.

Union Pacific has submitted a small number of requests to several Complainants seeking answers to some narrowly-drawn questions regarding tank car data they produced in discovery. Arkema and Cargill have responded to those requests. Tesoro has not yet responded.

Union Pacific has completed its production of documents and other information. On October 1, Union Pacific responded to a series of questions complainants had asked regarding tank car shipment record data Union Pacific produced in discovery on June 23, 2016.

C. Depositions

After reviewing Arkema's responses to follow-up questions Union Pacific sent Arkema relating to depositions of witnesses designated by Arkema, Union Pacific served a small number of additional discovery requests on Arkema in an effort to address its remaining concerns while avoiding the inconvenience to Arkema and its witnesses of additional depositions. Arkema has responded to Union Pacific's discovery requests, and Union Pacific is reviewing the responses.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of November, 2018, I caused a copy of the foregoing document to be served by e-mail on counsel for all parties of record in NOR 42144, NOR 42150, NOR 42152, and NOR 42153.

/s/ Michael L. Rosenthal
Michael L. Rosenthal