

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

NORTH AMERICA FREIGHT CAR	)	243090
ASSOCIATION; AMERICAN FUEL &	)	
PETROCHEMICALS MANUFACTURERS;	)	
THE CHLORINE INSTITUTE; THE	)	
FERTILIZER INSTITUTE; AMERICAN	)	ENTERED
CHEMISTRY COUNCIL; ETHANOL	)	Office of Proceedings
PRODUCTS, LLC D/B/A POET ETHANOL	)	May 11, 2017
PRODUCTS; POET NUTRITION, INC.;	)	Part of
AND CARGILL INCORPORATED,	)	Public Record
	)	
Complainants,	)	
	)	
v.	)	
	)	
UNION PACIFIC RAILROAD COMPANY,	)	Docket No. NOR 42144
	)	
Defendant.	)	

STATUS REPORT OF NON-PARTY TANK CAR OWNERS FOR MAY 11, 2017

Union Tank Car Company (“UTC”), GATX Corporation (“GATX”), Trinity Industries, Inc. (“Trinity”), and American Railcar Industries, Inc. (“ARI”) (individually, “Tank Car Owner” or “Owner,” and collectively, “Tank Car Owners” or “Owners”), non-parties to the above-captioned matter, hereby submit this status report in response to the order of Administrative Law Judge Dring served March 3, 2017.

UTC made its full document production to UP on April 6, 2017. The other Tank Car Owners have been working to compile and prepare discovery materials for production to Defendant Union Pacific Railroad Company (“UP”) in accordance with the order served October 13, 2016, as discussed at the discovery status conference held April 19, 2017. The other Tank Car Owners have not identified any issues that at this time

appear likely to prevent them from being able to complete document production within the time period discussed at the discovery status conference.

Respectfully submitted,

Peter A. Pfohl
/s/ Robert D. Rosenberg
Katherine F. Waring
Slover & Loftus LLP
1224 Seventeenth Street, N.W.
Washington, DC 20036
(202) 347-7170

*Counsel for American Railcar
Industries, Inc.*

Jennifer A. Kenedy
Matthew J. Kalas
Locke Lord LLP
111 South Wacker Drive
Chicago, IL 60606
(312) 443-0377

Counsel for Trinity Industries, Inc.

Dated: May 11, 2017

Reed W. Neuman
Anna W. Stolarz
Nossaman LLP
1666 K Street, NW, Suite 500
Washington, DC 20006
(202) 887-1400

Counsel for GATX Corporation

Marc J. Goldstein
Michael F. Vitris
Beveridge & Diamond, P.C.
15 Walnut Street, Suite 400
Wellesley, MA 02841
(781) 416-5700

Counsel for Union Tank Car Company

CERTIFICATE OF SERVICE

I hereby certify that this 11th day of May, 2017, I have caused copies of the foregoing to be served via first-class mail, postage prepaid, or by more expeditious means, upon all parties of record to this proceeding.

In addition, I have caused a copy of the foregoing to be served by hand on Administrative Law Judge John P. Dring, Federal Energy Regulatory Commission, Office of Administrative Law Judges, 888 First Street, N.E., Washington DC 20426.

/s/ Robert D. Rosenberg