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THOMAS F. MCFARLAND

January 25, 2017

By efilng

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

Re: Docket No. AB-55 (Sub-No. 643X), *CSX Transportation, Inc. -- Abandonment
Exemption -- in La Porte, Porter and Starke Counties, IN*

Finance Docket No. 36076, *Chesapeake and Indiana Railroad Company, Petition
for Declaratory Relief*

Dear Ms. Brown:

Please refer to the Reply in Opposition to (1) Petition to Reopen Offer of Financial Assistance Proceeding, and (2) Petition for Declaratory Relief, filed in behalf of the Town of North Judson, Indiana in the above proceedings on December 27, 2016. Appendix 2 of that Reply is the Affidavit of Wendy J. Hoppe. As here pertinent, Ms. Hoppe stated that Co-Alliance, LLP did not supply an Amended Non-Conclusion Affidavit in regard to the Town's release of confidential information. (Affidavit, paragraph 19, final sentence).

Co-Alliance has stated to the Town that Ms. Hoppe's statement in Paragraph 19, referred to above, is not correct. In support, Co-Alliance has sent a copy to the Town of an Amended Non-Conclusion Affidavit of its President and CEO, Mr. Kevin A. Still, signed on June 30, 2016.

In view of the foregoing, the Town hereby submits an Amended Affidavit of Wendy J. Hoppe to acknowledge that Co-Alliance did supply an Amended Non-Conclusion Affidavit, which is attached to Ms. Hoppe's Affidavit.

THOMAS F. McFARLAND

Ms. Cynthia T. Brown
January 25, 2017
Page 2

Respectfully submitted,

Tom McFarland

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AMENDED AFFIDAVIT OF WENDY J. HOPPE

Wendy J. Hoppe, first being duly sworn upon an oath, does affirm and state under the pains and penalties of perjury as follows:

1. I am the President of the Town Council for the Incorporated Town of North Judson, Indiana. I have been President of the Town Council since 2012 and a member of the Town Council since 2008.
2. I have reviewed the Verified Statement of R. Powell Felix submitted in this matter and offer this Affidavit in response to the allegations contained therein.
3. I previously submitted an affidavit that included an error. In paragraph 20 of the Affidavit of Wendy J. Hoppe, I stated:

The Town denies that the RFP process was defective. HVRM was given a small role advisory role in selection following the formal RFP process. Further, after CKIN advised the Town that the RFP had released confidential information, the Town worked with Co-Alliance, CKIN, HVRM, and all others who had been provided the RFP to stop the dissemination of the information. Specifically, the Town issued an amended RFP with explicit instructions to disregard the original RFP. The Town also updated its RFP response requirements to include an Amended Non-Collusion Affidavit that all who submitted responses were to have included. All who submitted a response supplied an Amended Non-Collusion Affidavit, except for Co-Alliance, as evidenced by Exhibits 5-8.

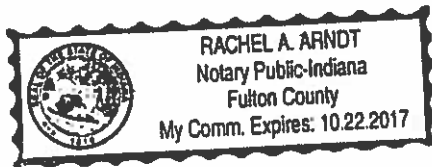
4. It appears that Co-Alliance did submit an Amended Non-Collusion Affidavit which is attached to this Amended Affidavit as Exhibit 1.


Wendy J. Hoppe

STATE OF INDIANA, COUNTY OF STARKE, SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for said State and County, personally appeared Wendy J. Hoppe, who acknowledged the execution of the foregoing Affidavit, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 3rd day of January, 2016.⁷



Rachel Arndt

Name: Rachel Arndt

A Resident of Fulton County

My Commission Expires : 10.22.17

Prepared by Rachel A. Arndt, Peterson Waggoner & Perkins, LLP, 125 E. 10th St. Rochester, IN 46975.

AMENDED
NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
)
HENDRICKS COUNTY)

The undersigned authorized representative of Respondent, being duly sworn on oath, states that he/she is duly authorized to act on behalf of Respondent and has not, nor has any other employee, member, representative, or agent of the firm, company, corporation or partnership represented by him/her, entered into any combination, collusion or agreement with any person relative to the price to be offered by any person nor to prevent any person from making a proposal nor to induce anyone to refrain from submitting a proposal and that this offer is made without reference to any other offer.

Furthermore, the undersigned authorized representative of Respondent, acknowledges that only the "Amended RFP" (issue date June 17, 2016) was used for the drafting of this response. Additionally, undersigned affirms that the "Original RFP" (issue date June 15, 2016), if received, has been destroyed, and that any individuals who received the Original RFP from the Respondent also destroyed the document. Further, the undersigned attests that the Original RFP in no way influenced this proposal.

Co-Alliance, LLP

Respondent (Name of Firm)


Signature of Representative/Agent

Kevin A. Still

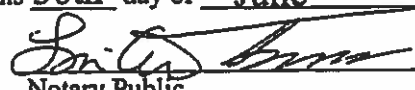
Printed Name of Representative/Agent

President & CEO

Title

Subscribed and sworn to before me this 30th day of June, 2016.

My Commission Expires: 2/21/2024


Notary Public

Lori A. Thomas

County of Residence Marion