

EXPEDITED ACTION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AGRIUM INC. and
AGRIUM U.S. INC.

Complainants,

v.

CANADIAN PACIFIC RAILWAY
COMPANY

Defendant.

Docket No. NOR 42145



GRANTED

Office of
Proceedings

DECISION ID NO.: 44962

DECIDED DATE: 12/14/15

SERVICE DATE: 12/14/15

APPROVED: *Rachel Campbell*
Director

JOINT MOTION TO MODIFY PROCEDURAL SCHEDULE

Complainants Agrium Inc. and Agrium U.S. Inc. (collectively "Agrium") and Canadian Pacific Railway Company ("CP") file this joint motion asking the Board to issue an order modifying the procedural schedule by extending all dates as indicated herein. In support hereof the parties state as follows:

1. The current procedural schedule calls for discovery to end on December 14, 2015. Both parties have determined this deadline will not allow adequate time to resolve issues regarding discovery requests and for document production. As such, the parties are requesting an extension of 60 days.

2. The parties request that all subsequent deadlines be extended by 60 days to accommodate the additional time needed for discovery. As summarized in the table below, under this revised schedule Agrium's Opening Statement would be due on

April 12, 2016; CP's Reply would be due on June 13, 2016; and Agrium's Rebuttal would be due on July 13, 2016.

Modified Procedural Schedule: 60 Day Extension		
Filing	Current	60 Days
End of Discovery	December 14, 2015	February 12, 2016
Agrium Opening Statement	February 12, 2016	April 12, 2016
CP Reply	April 12, 2016	June 13, 2016
Agrium Rebuttal	May 12, 2016	July 13, 2016

4. Expedited action is requested in light of the current schedule deadlines.

Respectfully submitted,

AGRIUM INC. and AGRIUM U.S. INC.

CANADIAN PACIFIC RAILWAY CO.

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U.S. Inc.

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Dated: December 11, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December, 2015, I served copies of the forgoing on all parties of record to this proceeding by U.S. Mail, postage prepaid.

/s Katherine F. Waring