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American Fuel & Petrochemical
Manufacturers,

Complainant,

v.

BNSF Railway Company,

Defendant.

Docket No. 42146

As required by 49 C.F.R. § 1111.10(a), the parties conferred by telephone on June 16, 2016, to discuss discovery and procedural matters. During the course of that conference, counsel for BNSF Railway Company (“BNSF”) informed counsel for American Fuel & Petrochemical Manufacturers (“AFPM”) that BNSF intended to file a motion to dismiss AFPM’s First Amended Complaint. That motion to dismiss was subsequently filed on June 21, 2016.

Subsequent to their June 16, 2016 conference, the parties have reached agreement that a procedural schedule and discovery should be deferred until after the Board rules on BNSF's motion. Accordingly, the parties jointly request that the Board defer any action on a procedural schedule until the Board has ruled on BNSF's motion.

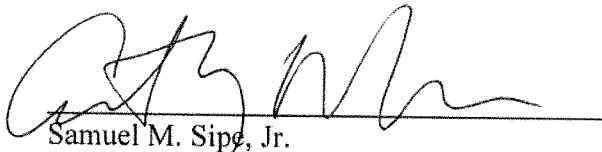


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Office of
 Proceedings

DECISION ID NO.: 45286
 DECIDED DATE: 6/30/16
 SERVICE DATE: 6/30/16
 APPROVED: Rachel Campbell
 Director

☒ request to defer
procedural schedule
is granted.



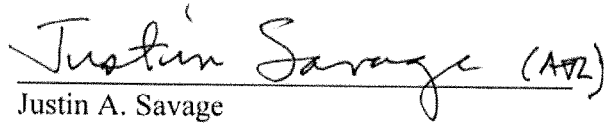
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June 23, 2016

Respectfully submitted,

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