

SURFACE TRANSPORTATION BOARD

Docket No. NOR 42140

COLORADO WHEAT ADMINISTRATIVE COMMITTEE,
COLORADO ASSOCIATION OF WHEAT GROWER,
COLORADO WHEAT RESEARCH FOUNDATION
AND KCVN, LLC

238841

v.

V AND S RAILWAY, LLC

ENTERED
Office of Proceedings
July 16, 2015
Part of
Public Record

MOTION TO COMPEL
OF V AND S RAILWAY LLC

Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152
email: xiccgc@gmail.com

Attorney for

V AND S RAILWAY, LLC

Dated: July 16, 2015

SURFACE TRANSPORTATION BOARD

Docket No. NOR 42140

COLORADO WHEAT ADMINISTRATIVE COMMITTEE,
COLORADO ASSOCIATION OF WHEAT GROWER,
COLORADO WHEAT RESEARCH FOUNDATION
AND KCVN, LLC

v.

V AND S RAILWAY, LLC

MOTION TO COMPEL
OF V AND S RAILWAY LLC

On July 10, 2015, Complainants and Respondent filed a Joint Motion to Stay Proceedings. The Board not having rendered its decision granting the requested relief, Respondent is obliged to file the instant Motion to Compel, which, of course, Respondent will withdraw when and if the Board were to approve the Joint Motion to Stay Proceedings.

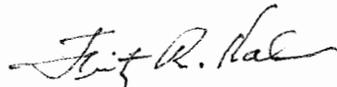
Respondent, V and S Railway, LLC, on June 12, 2015, served Complainants with its Initial Interrogatories, Document Production Requests and Requests for Admissions, asking that the Complainants respond in twenty days' time, that is, on or before July 2, 2015. By agreement of the parties, the due date for Complainants' response was extended to July 10, 2015. To date, they have served none.

Respondent, V and S Railway, LLC, pursuant to 49 C.F.R. § 1114.31(a), respectfully request that the Board enter an order compelling Complainants to respond completely and with evasion to V and S Railway, LLC's Initial Interrogatories, Document Production Requests and Requests for Admissions.

Respectfully submitted,

V and S Railway LLC

By its attorney,



Fritz R. Kahn

Fritz R. Kahn, P.C.

1919 M Street, NW (7th fl.)

Washington, DC 20036

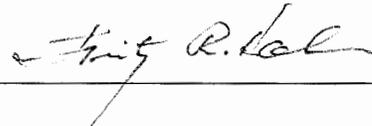
Tel.: (202) 263-4152

email: xiccgc@gmail.com

CERTIFICATE OF SERVICE

I certify that I this day served the foregoing Motion to Compel of V and S Railway, LLC upon the Colorado Wheat Administrative Committee, Colorado Association of Wheat Growers and Colorado Wheat Research Foundation by mailing a copy to their representative, Mr. Terry Whiteside, and upon KCVN, LLC by e-mailing a copy to its counsel, Thomas W. Wilcox, Esq. at twilcox@gkglaw.com.

Dated at Washington, DC, this 16th day of July 2015.

A handwritten signature in cursive script, appearing to read "Fritz R. Kahn", is written above a horizontal line.

Fritz R. Kahn