

EXPEDITED ACTION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**AGRIUM INC. and
AGRIUM U.S. INC.**

Complainants,

v.

**CANADIAN PACIFIC RAILWAY
COMPANY**

Defendant.

240323

**ENTERED
Office of Proceedings
March 18, 2016
Part of
Public Record**

Docket No. NOR 42145

 GRANTED	DECISION ID NO.: <u>45113</u>
	DECIDED DATE: <u>3/18/16</u>
	SERVICE DATE: <u>3/21/16</u>
	APPROVED: <u>Rachel D Campbell</u> Director
Office of Proceedings	<input type="checkbox"/>

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 March 29, 2016. 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 10 weeks.

2. The parties request that all subsequent deadlines also be extended by approximately 10 weeks 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 August 8, 2016; CP's Reply would be due on October 7, 2016; and Agrium's Rebuttal would be due on November 7, 2016.

Modified Procedural Schedule – 10 Week Extension		
Filing	Current	10 Weeks
End of Discovery	March 29, 2016	June 7, 2016
Agrium Opening Statement	June 2, 2016	August 8, 2016
CP Reply	August 1, 2016	October 7, 2016
Agrium Rebuttal	August 31, 2016	November 7, 2016

3. 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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Counsel for Canadian Pacific Railway
Company

Dated: March 18, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of March, 2016, I served copies of the forgoing on all parties of record to this proceeding by U.S. Mail, postage prepaid.

/s Katherine F. Waring