



Office of Proceedings

DECISION ID NO.: 43776
DECIDED DATE: 4/29/14
SERVICE DATE: 4/29/14
APPROVED: Richard Campbell



Director
SURFACE

BEFORE THE
TRANSPORTATION BOARD

235962

ENTERED
Office of Proceedings
April 25, 2014
Part of
Public Record

CANADIAN PACIFIC RAILWAY)
COMPANY, ET AL. – CONTROL –) Finance Docket No. 35081 (Sub-No. 2)
DAKOTA, MINNESOTA & EASTERN)
RAILROAD CORP., ET AL.)
)

JOINT MOTION TO MODIFY THE PROCECURAL SCHEDULE

The State of South Dakota acting by and through its Department of Transportation (“South Dakota” or “State”) 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 and in support hereof the parties state as follows:

1. On March 10, 2014, the Board modified the procedural schedule in this case in light of the ongoing discovery process, including the pendency of a motion to compel that South Dakota had filed on February 14, 2014.
2. On March 26, 2014, the Board granted specified portions of South Dakota’s motion to compel.
3. CP is continuing its document production and review process, but the process is not yet complete.
4. The State will, in turn, need more than the time allotted under the present schedule to conduct a detailed review of the information CP has and will produce.

5. In light of the foregoing, the parties respectfully request that the Board extend the current schedule dates by approximately 60 days, as follows: May 30, 2014 (end of discovery); July 8, 2014 (Petition supplement due); August 11, 2014 (CP reply due).

Respectfully submitted,

STATE OF SOUTH DAKOTA ACTING
BY AND THROUGH ITS
DEPARTMENT OF
TRANSPORTATION

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Dated: April 25, 2014

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2014, I served copies of the forgoing on all parties of record to this proceeding by U.S. Mail, postage prepaid.

/s Daniel M. Jaffe