

EXPEDITED ACTION REQUEST

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
Office of  
Proceedings



GRANTED  
Office of  
Proceedings

DECISION ID NO.: 45036  
DECIDED DATE: 2/4/16  
SERVICE DATE: 2/4/16  
APPROVED: Rachel D Campbell  
Director

AGRIUM INC. and  
AGRIUM U.S. INC.

Complainants,

v.

CANADIAN PACIFIC RAILWAY  
COMPANY

Defendant.

Docket No. NOR 42145 239979

ENTERED  
Office of Proceedings  
February 3, 2016  
Part of  
Public Record

**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 February 12, 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 approximately 45 days.

2. The parties request that all subsequent deadlines be extended by approximately 45 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 June 2, 2016; CP's Reply would be due on August 1, 2016; and Agrium's Rebuttal would be due on August 31, 2016.

<b>Modified Procedural Schedule: 30 Day Extension</b>		
<b>Filing</b>	<b>Current</b>	<b>Modified</b>
End of Discovery	February 12, 2016	March 29, 2016
Agrium Opening Statement	April 12, 2016	June 2, 2016
CP Reply	June 13, 2016	August 1, 2016
Agrium Rebuttal	July 13, 2016	August 31, 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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Dated: February 3, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3rd day of February, 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