

# BakerHostetler

## Baker & Hostetler LLP

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April 5, 2016

ENTERED  
Office of Proceedings  
April 5, 2016  
Part of  
Public Record

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### VIA E-FILING

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street N.W.  
Washington, D.C. 20423

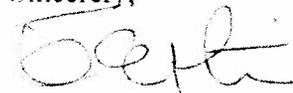
\*Admitted in California, Illinois and Wisconsin only. Not admitted in the District of Columbia; practicing under the supervision of Elizabeth Scully, a member of the D.C. Bar, pursuant to Rule 49(c)(8) of the D.C. Court of Appeals.

Re: *STB Finance Docket No. 36014, Ingredion, Inc.--Petition for Declaratory Order*

Dear Ms. Brown:

Enclosed for filing in the above-referenced proceeding is a corrected version of Coulas Viking Partner's Motion for Extension of Time to File Motion to Stay or Otherwise Respond to Ingredion, Inc.'s Petition for Declaratory Order, originally dated April 4, 2016. The original motion incorrectly identified in paragraph 1 the date by which a response to Ingredion, Inc.'s Petition for Declaratory Order ("Petition") is due. The corrected version identifies the correct deadline for a response to the Petition as April 13, 2016, pursuant to 49 C.F.R. § 1104.13.

Sincerely,



Katharine E. Heitman

cc: Karyn Booth (by email)  
Rodney Perry  
Thomas Matyas

 <b>GRANTED</b> Office of Proceedings	DECISION ID NO.: <u>45139</u>
	DECIDED DATE: <u>4-7-16</u>
	SERVICE DATE: <u>4-7-16</u>
	APPROVED: <u>Joseph Jettmar</u> Acting Director
	<input checked="" type="checkbox"/> <u>Extended until 4-29-16</u>

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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FINANCE DOCKET NO. 36014  
INGREDION, INC. - PETITION FOR DECLARATORY ORDER

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**MOTION FOR EXTENSION OF TIME TO FILE MOTION TO STAY OR OTHERWISE  
RESPOND TO INGREDION, INC.'S PETITION FOR DECLARATORY ORDER**

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Dated: April 5, 2016

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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FINANCE DOCKET NO. 36014  
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Coulas Viking Partners (“Viking Partners”), a party seeking to be a party of record that intends to file a response to Ingredion, Inc.’s (“Ingredion”) Petition for Declaratory Order, respectfully moves pursuant to 49 C.F.R. § 1104.7 for additional time to move to stay the proceedings or otherwise respond to the filing of Ingredion dated March 24, 2016.<sup>1</sup> In support thereof, Viking Partners states as follows:

1. Ingredion’s Petition was filed with the Surface Transportation Board (“STB”) on March 24, 2016. The Petition seeks the STB’s determination of a case filed by Viking Partners that has been pending in Illinois state court since December 2013 (“State Court Action”). Viking Partner’s response to the Petition is due on April 13, 2016, pursuant to 49 C.F.R. § 1104.13.
2. On the same day Ingredion filed the Petition with the STB, it also removed the State Court Action to the United States District Court for the Northern District of Illinois.<sup>2</sup>
3. Viking Partners disputes Ingredion’s basis for removal to federal court. Viking Partners’ motion to remand is due on April 25, 2016.
4. Viking Partners also disputes the jurisdiction of the STB to determine the Illinois state common law causes of action raised in the State Court Action.

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<sup>1</sup> *Ingredion Inc.’s Petition for Declaratory Order*, dated March 24, 2016 (“Petition”).

<sup>2</sup> *See Coulas Viking Partners v The Belt Railway Company of Chicago, et. al.*, Case No. 16-cv-3583.

5. Accordingly, and to allow Viking Partners sufficient time to respond to the allegations in the Petition, Viking Partners hereby requests an extension of time to file its Motion to Stay, or otherwise respond to Ingredion's Petition to and until April 29, 2016. Counsel for Ingredion, Inc. has consented to the requested extension.

For the foregoing reasons, Viking Partners respectfully requests to extend the time for it to move to stay or otherwise respond to Ingredion's Petition to and until April 29, 2016.

Respectfully submitted,



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*Counsel for Coulas Viking Partners*

**CERTIFICATE OF SERVICE**

I, Katharine Heitman, hereby certify that on this 5th day of April, 2016, a copy of the foregoing Motion for Extension of Time to File Motion to Stay Or Otherwise Respond to Ingredion, Inc.'s Petition For Declaratory Order was served by email to Karyn A. Booth, Karyn.Booth@ThompsonHine.com, Counsel for Ingredion, Inc. A copy of the foregoing was also served FedEx Overnight, upon the following:

Rodney Perry  
Bryan Cave LLP  
161 North Clark Street, Suite 4300  
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Karyn A. Booth  
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*Counsel for Ingredion, Inc.*

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