

SERVICE DATE – LATE RELEASE MARCH 18, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42060 (Sub-No. 1)

NORTH AMERICA FREIGHT CAR ASSOCIATION

v.

BNSF RAILWAY COMPANY<sup>1</sup>

Decided: March 18, 2005

By a request filed on March 14, 2005, North America Freight Car Association and 10 of its individual members (collectively, Complainants) seek an extension of the procedural schedule set by the Board in a decision served on January 6, 2005. Complainants seek to change the deadline for responses to discovery for both parties, from March 22, 2005, to April 15, 2005, and to make a similar three-week adjustment to the remaining procedural schedule due dates. Complainants state that BNSF Railway Company (BNSF) joins in this extension request.

The Board set an expeditious procedural schedule in this proceeding. Thus far, the parties generally have met the due dates set forth in the Board's January 6, 2005 decision. Complainants and BNSF, however, seek more time to complete their discovery. The parties agree that it is appropriate to retain the same intervals between the remaining due dates by extending the entire procedural schedule.

It is desirable for the parties to resolve their discovery disputes in a timely and cooperative manner. Therefore, the requests are reasonable. Accordingly, the request to extend the procedural schedule will be granted and the dates proposed by the parties will be adopted.

It is ordered:

1. The request for an extension of time is granted.

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<sup>1</sup> Effective January 20, 2005, The Burlington Northern and Santa Fe Railway Company changed its name to BNSF Railway Company.

2. The procedural schedule in this proceeding is modified as follows:

<u>Day</u>	<u>Event</u>
April 15, 2005	Responses to Discovery Due
April 21, 2005	Notices of Depositions Due
May 20, 2005	Depositions Completed
June 29, 2005	Opening Statements of NAFCA and Intervenors Due
July 29, 2005	Reply of Defendant Due
August 29, 2005	Rebuttal of NAFCA Due

3. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary