

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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

Karla L. Engle
Special Assistant Attorney General
South Dakota Department of
Transportation
700 E. Broadway Ave.
Pierre, SD 57501-2586
(605) 773-3262

/s John H. LeSeur
Daniel M. Jaffe
Slover & Loftus LLP
1224 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 347-7170

Counsel for the State of South Dakota
acting by and through its Department of
Transportation

Dated: April 25, 2014

CANADIAN PACIFIC RAILWAY CO.

Terence M. Hynes
/s Matthew J. Warren
Hanna M. Chouest
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000

Counsel for Canadian Pacific Railway
Company

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