

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

ENTERED  
Office of Proceedings  
June 9, 2014

---

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

---

Part of

Public Record

**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 April 29, 2014, the Board modified the procedural schedule in this case in light of the ongoing discovery process, including changing the close of discovery to May 30, 2014.
2. Document production has extended beyond the discovery deadline of May 30, 2014.
3. Thus, the State will need more than the time allotted under the present schedule to conduct a detailed review of the information CP has produced.

4. In light of the foregoing, the parties respectfully request that the Board extend the current schedule dates by 31 days, as follows: June 30, 2014 (end of discovery); August 8, 2014 (Petition supplement due); September 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

John H. LeSeur  
/s 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: June 9, 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 9th day of June, 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