

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

ENTERED  
Office of Proceedings  
June 12, 2015  
Part of  
Public Record

**COLORADO WHEAT )  
ADMINISTRATIVE COMMITTEE, )  
COLORADO ASSOCIATION OF )  
WHEAT GROWERS, COLORADO )  
WHEAT RESEARCH FOUNDATION )**

And )

**KCVN, LLC )**

vs. )

**V&S RAILWAY, LLC )**

**Docket No. NOR 42140**

**REPORT SUBMITTED PURSUANT TO 49 C.F.R. § 1111.10(a)**

The Complainants in this proceeding, through counsel, hereby submit the following report to the Board pursuant to 49 C.F.R. § 1111.10(a).

Counsel for the parties met via conference call on June 9, 2015 to discuss discovery and procedural schedule issues. In regard to discovery, as noted in the order served in this proceeding on May 7, 2015, Complainants have previously served discovery on Defendant. Complainants agreed to attempt to reach an agreement with Defendant on its responses to that discovery before filing a new motion to compel discovery (Complainants' December 16, 2014 motion to compel being determined to be mooted by the May 7 order). Defendant's counsel indicated on the call that Defendant would serve discovery on the Complainants in the near

future. Defendant later served its initial discovery requests on June 12, 2015 after it filed a Report pursuant to 49 C.F.R. § 1111.10(a).

The parties were unable to agree on a proposed procedural schedule. A key difference was that Defendant did not agree to include a date for completion of discovery. Complainants submit that the following procedural schedule is appropriate for the issues presented by their Complaint. The "D" is the date of the Board's decision adopting the schedule.

D + 60 days	Date for completion of discovery by both parties;
D + 90 days	Complainants' opening evidence;
D + 120 days	Defendant's reply evidence;
D + 150 days	Complainants' rebuttal evidence

Complainants hereby request that the Board issue an order that adopts the foregoing procedural schedule.

Respectfully submitted,



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June 12, 2015

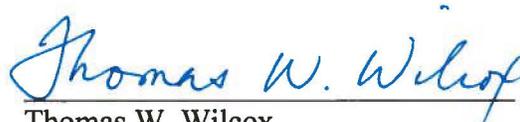
**CERTIFICATE OF SERVICE**

I do hereby certify that on this 12th day of June 2015, I have served a copy of the foregoing by email and regular mail to:

Fritz Kahn  
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