

# LATHROP & GAGE<sub>LLP</sub>

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June 3, 2014

## VIA FEDEX PRIORITY OVERNIGHT

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20024

236149  
ENTERED  
Office of Proceedings  
June 4, 2014  
Part of  
Public Record

Re: Wichita Terminal Association, BNSF Railway Company & Union Pacific  
Railroad Company (the "WTA") – Petition for Declaratory Order  
**Finance Docket No. 35765 – The WTA's Document Production**

Dear Ms. Brown:

Pursuant to the Board's May 20, 2014 decision regarding the Petition for  
Declaratory Order filed by the WTA, the following documents are enclosed:

- (1) Trial and hearing transcripts, journal entries, and oral or written orders and  
decisions by the Kansas District and Appellate courts dated after the February 20,  
2007 bench trial on the first remand,<sup>1</sup> and
- (2) A complete set of pleadings submitted to the Kansas District and Appellate  
courts by either or both parties after the February 20, 2007 bench trial and before  
the August 1, 2008 journal entry.

The above-mentioned documents are submitted via compact disc along with two  
sets of hard copies.

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<sup>1</sup> The only outstanding document is a transcript of the May 15, 2009 hearing before  
Kansas District Court Judge Timothy Henderson regarding the WTA's Motion for Relief From  
Judgment or Order Under K.S.A. § 60-260(b). The Kansas District Court official reporter for the  
hearing informed us that she could not transcribe the hearing before the June 4 deadline. She  
indicated she could have the transcript to us by mid-June. Once we receive the transcript, we will  
immediately submit it to the Board in order to make this a complete set.

Document Production Pursuant to May 20, 2009 Decision  
June 3, 2014  
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Please contact me if you have any questions or need further information. Thank you for your attention to this matter.

Very truly yours,

LATHROP & GAGE LLP

By:

A handwritten signature in black ink, appearing to read "K. Paul Day", written over a horizontal line. The signature is stylized and includes a small flourish at the end.

K. Paul Day

KPD/wa

Enclosures

cc: Wyatt A. Hoch  
Charles R. Curran  
James Oliver