

Steven H. Steinglass
Attorney at Law
2374 Tudor Drive
Cleveland Heights OH 44106
(216) 321-0718
(216) 321-1498 (fax)
(216) 469-6619 (cell)
Steven.steinglass@law.csuohio.edu

October 18, 2007

Penn Central Arbitration
Supplemental Disclosure Statement
Steven H. Steinglass, Neutral Arbitrator

Given the importance of full disclosure to the arbitration process, I am providing counsel with this signed supplemental disclosure statement concerning my relationship with Dr. Harvey S. Rosen, the claimants' expert witness.

Nothing in this disclosure statement should be construed as an indication that I consider any of the disclosed material to affect my impartiality or independence. *Cf.* American Arbitration Association, Employment and Arbitration Rules and Mediation Procedures, Rule 15(a) (2006) ("In order to encourage disclosure by arbitrators, disclosure of information . . . is not to be construed as an indication that the arbitrator considers that the disclosed circumstances is likely to affect impartiality or independence.").

Dr. Harvey S. Rosen

According to his c.v., Dr. Harvey S. Rosen was a member of the faculty at Cleveland State University from 1967 to at least 1994. He was not a member of the law school faculty, and I had no professional or other contact with him during his tenure at Cleveland State University. Indeed, I do not believe I had ever met him during this period.

Nor have I had a personal or professional relationship with Dr. Rosen since he left Cleveland State University, and the only interactions we have ever had have taken place at social events hosted by his colleague, Dr. John F. Burke, Jr.

Dr. Burke was also on the faculty at Cleveland State University, but I did not know him during his tenure at Cleveland State University. My relationship with Dr. Burke is primarily the result of my relationship with his wife, the Honorable Nancy A. Fuerst of

the Cuyahoga County Court of Common Pleas. Judge Fuerst was a law student in at least one of my classes at the Cleveland-Marshall College of Law in the mid-1980s, and she has been involved in the activities of the law school. She was recognized by the Law Alumni Association at an Annual Recognition Luncheon in May 2006 (which I did not attend), and she served on the law school's Visiting Committee. Judge Fuerst and Dr. Burke have been donors to the law school, and a "Judge Nancy A. Fuerst and Dr. John F. Burke, Jr., Endowed Scholarship Fund" at the Cleveland State University Foundation provides partial scholarship support to law students. I was instrumental in securing the donations that funded this scholarship.

My wife and I have had a social relationship with Judge Fuerst and Dr. Burke. On three or four occasions during the past decade, we have had dinner with them. We have also attended social events at their home, primarily their annual St. Patrick's Day Party, which I attended most years while I was dean. While I was dean, they generally attended the annual holiday party that my wife and I hosted at our home as part of the law school's outreach/development activities.

Dr. Rosen has never been to my home, and the only contacts we have ever had were two or three brief conversations at events at the Fuerst-Burke home. We both also attended a 70th birthday celebration party for Dr. Burke in March 2007. At no time have I discussed this proceeding with either Dr. Rosen or Dr. Burke.

In conclusion, I have no relationship with Dr. Rosen that may affect my impartiality or independence or that may create an appearance of a lack of impartiality or independence.

/s/ Steven H. Steinglass

October 18, 2007

Steven H. Steinglass
Neutral Arbitrator

date