

BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
JUL 23 2010
Part of
Public Record

M & G POLYMERS USA, LLC

v.

CSX TRANSPORTATION, INC.

227476
Docket No. NOR 42123

JOINT MOTION FOR PROCEDURAL SCHEDULE

Complainant, M & G Polymers USA, LLC (“Complainant”), and Defendant CSX Transportation, Inc. (“Defendant”) (collectively the “Parties”), respectfully request that the Surface Transportation Board (“STB” or “Board”) adopt the following procedural schedule for the above-captioned proceeding:

Discovery Closes	December 15, 2010
Joint submission of operating characteristics	March 1, 2011
Complainant’s Opening Evidence	April 15, 2011
Defendant’s Reply Evidence	August 16, 2011
Complainant’s Rebuttal Evidence	December 6, 2011
Final Briefs	January 31, 2012

M&G and CSXT have agreed upon this procedural schedule based upon several key considerations. In particular, the parties agreed to follow the format adopted by the Board in STB Docket NOR 42121, *Total Petrochemicals USA, Inc. v. CSX Transportation, Inc.* (served June 23, 2010), while also being mindful of other ongoing large proceedings involving the same counsel and consultants on both sides. Furthermore, the parties have attempted to account for the complexity of this proceeding, in which the Complaint challenges the rates on traffic moving between 69 identified origin-destination pairs.

By filing this Motion prior to the conclusion of mandatory mediation in this proceeding, M&G and CSXT emphasize that they are not negatively prejudging the outcome of the mediation which both parties are approaching seriously.

The parties respectfully request that the Board adopt this schedule, which they have carefully considered and negotiated to balance multiple factors.

Respectfully submitted,



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July 22, 2010

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of July 2010, a copy of the foregoing Joint Motion for Procedural Schedule was served by first class mail.

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