

EXHIBIT 1

(Appendix B to Feasibility Study)

Key Personnel – Gary V. Hunter

Railroad Industries Incorporated *Full Service Transportation Consulting*

Gary V. Hunter

775-825-6570

gvh@railroadindustries.com

Experience

Railroad Industries Incorporated

Chairman and Chief Executive Officer - Reno, Nevada

1997-Present

Chairman and Chief Executive Officer - Hot Springs, Arkansas

1993-1997

President - Reno, Nevada

1983-1993

Mr. Hunter put his rail hands-on experience into his own consulting firm to provide expertise to rail shippers, railroads, public transportation and economic development agencies, private investors and other transportation service companies across the country. Work has included branch line analysis, equipment utilization and analysis, development of operating plans, market development, transportation costing, intermodal analysis, merger studies, developing short line railroads, and financial analysis. Mr. Hunter serves as the Chairman and CEO of the firm, managing all major business decisions, in addition to serving as Project Manager for most projects. He ensures quality control and provides most input for contract negotiations between Class I's, shippers and short line railroads, alternative operations scenarios and traffic development strategies. Projects of note include Expert witness services for injury, rate, equipment, operations, right of way, STB and contract issues; Project Management for Utah Coal Rail Line development; 100's of NLV and GCV evaluations for short line, regional and branch line railroads; yard and terminal operations analysis for 12 BNSF Railways' terminals nationwide; Contract switching, operations and economics analysis for shippers nationwide, including Procter and Gamble, Cargill Grain, AK Steel, Palladon Iron, Sierra Pacific Power, Martin Marietta Materials and Bayer Materials; and rail abandonment and acquisition projects in Maine, California, Louisiana, Oregon and Utah to protect rail service for future economic development.

Arkansas Midland Railroad, General Manager
Jones Mill, Arkansas

1993-1994

Mr. Hunter was responsible for the overall operations of a \$5 million short line railroad which includes 131 miles of track, 37 employees, and 21,000 annual carloads. The maintenance of way, maintenance of equipment, operations, marketing and agency departments all reported to Mr. Hunter. In addition, Mr. Hunter was responsible for all purchasing activities and real estate transactions for the company.

Transportation Marketing Services, Inc., Consultant
Pleasant Hill, California

1987-1989

Mr. Hunter was responsible for achieving revenue and profit objectives of the firm as directed by the President. His duties included market development, strategic planning, equipment analysis, physical distribution analysis, branch line acquisition analysis, competitive analysis, market research, contract rate negotiations, sales development, operations analysis, and development of business plans. He prepared testimony, traffic and revenue projections diversion estimates, and traffic flow analyses for the Anschutz Corporation and Rio Grande Industries in their acquisition of the Southern Pacific Transportation Company. Clients included the government, shippers, transportation companies, and port authorities.

Key Personnel – Gary V. Hunter

<i>Southern Pacific Transportation Company</i> , San Francisco, California	1981-1987
Marketing Services Department	1986-1987
Intermodal Department	1985-1986
Market Planning Department	1981-1985

In the Marketing Services Dept., Mr. Hunter was responsible for achieving revenue and profit objectives for the corporation as directed by the Assistant Vice President - Marketing Services. His duties included developing agreements with other railroads, developing a network of short-haul TOFC trains, and evaluating the competitive environment and implications for the corporation. He was involved with branch line sales and agreements, working with both investors and financiers to develop short line railroads. He handled SPTCo's application for trackage rights in the Union Pacific-Missouri-Kansas-Texas Railroad merger including a traffic flow analysis, diversion estimates, and revenue projections.

In the Intermodal Dept., Mr. Hunter was responsible for special studies on all aspects of domestic and international TOFC and container traffic as directed by Assistant Vice President - Intermodal. His duties included contract development and negotiations, developing and analyzing costs, developing and analyzing various markets, and pricing, representing approximately \$500 million in annual revenue.

In the Market Planning Dept., Mr. Hunter was responsible for the market development and pricing of the aggregate and cement commodities representing approximately \$80 million in annual review. He was originally hired as Assistant Manager, Market Development - Bulk Services (May 1981-July 1982), and promoted to Product Manager, Marketing & Sales - Aggregates and Cement (July 1982-1985). His duties included forecasting and analyzing of product market with objective of expanding SPTCo's market share, reducing operating costs, and increasing profit margin. Additional responsibilities included negotiation of contracts with customers, developing and analyzing costs, and commercial decisions involving equipment allocation and acquisition. In response to the Staggers (4R) Act, directed marketing efforts in aggregates/cement from traditional single car rate to unit train contracts generating a 20% increase in SPTCo's share in the western railroad market. Over a three-year period, this represented a net contribution turnaround from an \$8 million loss to a \$5 million profit.

<i>Western Pacific Railroad</i> , Transportation Department San Francisco and Bay Area	1976-1981
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Mr. Hunter's responsibilities included both staff and direct line supervision of railroad operations. Staff position reported to Director-Operating Administration. Responsibilities included projecting and monitoring of annual system operating budget of \$70 million; in-depth analysis of operating expenses; working with line managers to determine and coordinate individual terminal and district costs with overall system forecast; presentation of budget variances to Vice President-Operations; and providing guidelines and requirements for the programming of departmental reports. This line position reported to Division Superintendent. Mr. Hunter was responsible for directing rail operations in the district between Oakland and Stockton - the fastest growing region on the railroad, which generated \$15 million in gross revenue with an operating budget of \$2.2 million. The territory comprised a variety of rail operations; main and branch line, industry and road switching, interchange, and joint facilities. Mr. Hunter coordinated schedules, assignments, and train performance to customer requirements with other departments of the railroad (i.e. Sales, Car Distribution, Train Operations/Dispatching, Roadway, and Mechanical). He also supervised train and engine operating employees within the district in addition to 20 station employees.

Education

<i>Master of Business Administration</i> , San Francisco State University	1976-1979
Selected as Master of Business Administration "Alumnus of the Year"	1980
<i>Bachelor of Art, Business Administration</i> , San Francisco State University	1972-1976
Majors: Business, Transportation, and Real Estate	

Key Personnel – Gary V. Hunter

Awards

Selected to receive Strathmore's Who's Who for 2001-2005; This award recognizes individuals who have demonstrated leadership and achievement in their occupation, industry or profession.

Selected to receive the 1998-1999 Who's Who in Executives and Professionals; This award recognizes outstanding professionals.

Selected by Citation's to receive the award of Who's Who Among Rising Young Americans for 1992 and 1993. This award recognizes achievements in American Society and Business.

Selected by American Biographical Institute to receive the award of 2,000 Notable American Men for 1992 and 1993; this award recognizes past achievements and outstanding service to community, state and nation.

Other Activities

<i>Presentation, Gerson Lehrman Group on "Rail Industry Updates"</i>	2010
<i>Speaker and Presenter, Truckee Meadows Community College</i>	2010
TMCC Logistics Class Presentation on "Rail Industry Highlights"	
<i>Presentation, Gerson Lehrman Group on "Rail Industry Overview"</i>	2007
<i>Speaker and Presenter, American Short Line Railroad Association</i>	2008 Annual Conference
<i>Speaker and Presenter, Transload Distribution Association</i>	2007 Annual Conference
<i>Speaker and Presenter, North American Rail Shippers</i>	2005 SWARS Meeting
<i>Financial Advisor, Ansonia, LLC</i>	2004-2012
<i>Member, Board of Directors, Sierra Northern Railway</i>	2004-2011
<i>Presenter, Operation Lifesaver</i>	2003-2009
<i>Trustee, Philip E. Kalthoff Estate</i>	2000-2004
<i>Member, Board of Directors, and Treasurer, Meadowridge Homeowner's Association</i>	2002-2010
<i>Chairman of the Board and Chief Operating Officer, Reno Pacific Rail Corporation</i>	1998-2011
<i>Instructor, San Francisco State University</i>	1983-1993
"California Railroads" seminar in rail transportation developments, past, present, and future	
<i>Lecturer, San Francisco State University</i>	1985-1992
"Private Carrier Management" seminar in transportation management	
"Traffic Management" seminar in traffic management	
"Physical Distribution and Logistics" seminar in physical distribution	
<i>Career Mentor, San Francisco State University</i>	1984-1992
Work with students in career and education development.	
<i>Teaching Assistant, San Francisco State University</i>	1974-1979
"Railroad Excursions" Assisted professor in conducting tours and leading discussions	

Guest speaker at San Francisco State University, local groups, and associations; currently pursuing research on railroad management, equipment, innovations, history, future projections, transportation policies, and United States laws; Involved with business, management, and transportation consulting

Key Personnel – Gary V. Hunter

List of Expert Witness Projects for Gary V. Hunter:

Testified or Deposition

Jul. 2018 – Current - Geraldine Hughes a/k/a Higginbotham, as Independent Administrator for the Estate of Jeremy Ortega-Hughes, Deceased v. Union Pacific Railroad Company. Intermodal Yard Worker Fatality case. Attorney: Amanda Martin of Pasanante Norem in Chicago, IL. Case No. 16-L-321 in the Circuit Court of the Twelfth Judicial Circuit Will County, Illinois.

Feb. 2022 – January 2023 - Village of Itasca, et al vs. Canadian Pacific Railroad/Kansas City Southern – Railroad Merger Decision – Attorney: Thomas W. Wilcox of Law Office of Thomas W. Wilcox in Chicago, IL United States Surface Transportation Board Docket No: FD-36500

May. 2021 – January 2023– San Jacinto Transportation Company v. SJRE-Railroad Series – Breach of Contract case. Attorney: Blake Runion of *Porter Hedges Law* in Houston, TX Case No. 2019-62755 In the 164th Judicial District of Harris County, Texas.

Jan. 2019 – June 2022 – Winamac Southern Railway Company v. Irving Materials, Inc. – Property Damages case. Attorney: Michael Knight of *Barnes and Thornburg LLP* in Indianapolis, IN. Case No. 34C01-1309-PL-0804 in the Howard County Circuit Court of the State of Indiana.

Jan. 2021 – April 2021– Jake A. Shreves v. Frontier Rail Corporation and Yakima Central Railway Corporation – Railway Injury Liability case. Attorney: Kelsey A. Terry of *Betts Patterson and Mines PS* in Portland, OR Case N. 1:19-cv-03012-SMJ in the United States District Court, Eastern District of Washington. (settled)

Aug. 2016 – Sept. 2021 – Hassell, et al v. The Budd Company, et al – Historical rail equipment employee liability; Attorney: H. Barrett Marshall Jr. **of Gordon Rees Scully Mansukhani, LLP** in Detroit, MI. Case No. 2:09-cv-90863 in the United States District Court for the Eastern District of Pennsylvania. (settled)

Jan. – Jul. 2018 - Kansas City Southern Railway Company Vs Lone Star Railroad Contractors, Inc.v. Railpros Field Services, Inc. – Derailment liability and damages case. Attorney: Sean Fleming of *Macdonald Devin* in Dallas, TX. Case No. 3-16-CV-01260-D in the United States District Court for The Southern District of Texas Dallas Division

July 2018 - Wells Fargo Rail Corporation f/k/a First Union Rail Corporation, and Helm-Pacific Leasing v. Black Iron, LLC, CML Metals Corporation, PIC Railroad Inc. d/b/a CML Railroad Inc. and Gilbert Development Corporation – Railcar Performance. Attorneys: Troy Aramburu and Bret Evans of Snell and Wilmer in Salt Lake City. Bankruptcy Case No. 17-24816-WTT – Adversary Proceeding No. 17-2094 - Consolidated with Adversary Proceeding No. 17-2088 in the United States Bankruptcy Court for the State of Utah.

Oct. 2017-Nov. 2017 – Vermont Railways v. Town of Shelburne – Preemption case. Attorneys: Claudine C. Safar, William J. Pettersen of *Monaghan Safar Ducham PLLC*; Anthea Dexter of City Attorney's Office in Shelburne, VT. Case No. 2:16-cv-16-wks in the United States District Court for the State of Vermont.

2014-2017 - Rail Switching Services Inc. vs. Marquis-Missouri Terminal LLC - railroad switching dispute; Attorney: Sarah J Klebolt of *Carmody MacDonald, P.C.* in St. Louis, MO. Case No. 13SL-CC01486 in the Circuit Court for the County of St. Louis State of Missouri.

2013-2014 – Truck Rail Handling v. Union Pacific Railroad – Lease terms, loss of business and economic impact case – Attorney: Tony Leones of *Miller Starr Regalia* in Walnut Creek, CA. Case No. RG12628007 in the Superior Court of California, County of Alameda. (case settled)

2013 – Brian Horton v. Modesto and Empire Traction Co – rail employee injury case – Attorney: Charles Leath of *Wood, Smith, Henning and Berman* in Fresno, CA. Case No. 673565 in the Superior Court of California, County of Stanislaus. (case settled)

2013-2014 – Joseph Fuentes v. Kern Oil and Refining Company – rail crossing injury case - Attorney: Anthony deMaria of *McCormick, Barstow, Sheppard, Wayte and Carruth* in Fresno, CA. Case No. S-1500-CV-276051 in the Superior Court of the State of California, County of Kern.

2012-2017 – Georgia Pacific Consumer Products LP, et al. v. NCR Corporation, et al. – traffic analysis on historical rail system – Attorney: Charles Shelton of *Baker Hostetler* in New York, NY. Case No. 1:11-cv-00483-RJJ in the United States District Court Western District of Michigan Southern Division. (case ongoing/traffic analysis completed)

2011-2013 – Simon Estrada-Varela v. American Maritime Services of New Jersey, Inc., d/b/a Integrated Industries, Corp –

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Intermodal Yard Incident Case. Attorney: John Power of *Cogan and McNabola, P.C.* in Chicago, IL. Case No. 10 L 2433; In the Circuit Court of Cook County, Illinois

2012-2013 – Union Pacific Railroad v. Arevalo Landscape Services – right of way liability case – Attorney: Adam Polk of *McNamara, Ney, Beatty, Slattery, Borges & Ambacher, LLP* in Walnut Creek, CA. Case No. 34-2010-00080571 in the Superior Court of California, County of Sacramento, Civil- Unlimited Jurisdiction. (Case settled)

Apr.-Jun. 2010 – State of Nevada v. Livreri – railroad theft and liability case – Attorney: Mellissa Faber of *Nevada State Public Defender* in Caliente, NV. Case No. CR-0729008 in the Lincoln County District Court.

2009-2010 - Joseph Lochridge v. Tacoma Rail – Locomotive maintenance and injury case
Attorney: Bahareh Samanian of *Rossi Cox Vucinovich Flaskamp PC* in Bellevue, WA. Case # 09-cv-05010-FDB in United States District Court Western District of Washington

2009 - 2017 – Patrick Joseph Carney vs. Happs, Inc. and Union Pacific Railroad – Salvage practices, liability and agreement interpretation for injury case involving rail salvage case – Attorney: Jon Papin of *Cogan and McNabola, P.C.* in Chicago, IL. Case No. 07-L-8369 in the Circuit Court of Cook County, IL

2009-2010 - Benjamin Kemp v. BNSF Railway Company – Track clearance injury case Attorney: Bahareh Samanian of *Rossi Cox Vucinovich Flaskamp PC* in Bellevue, WA. Case # C09-0170TSZ in United States District Court Western District of Washington

2009 – Dwight Johnson vs. Omnitrax – Evaluation of Omnitrax rail holding company for stock valuation for previous CEO – Attorney: Dennis P. Walker, *Attorney at Law* in Denver, CO. Case No. 08-CV-761 in Denver District Court, City and County of Denver, State of Colorado, Courtroom 5

2009–2010 – Merinda Watson, (Estate of Mardie Olden) vs. Alton and Southern Railway Co. – Investigation of operations, safety protocols and reporting rules for fatality in switching yard – Attorney: Anne Marie Brockland, *Simon Law Firm* in St. Louis, MO. Case No. 07-L-26 in 20th Judicial Circuit Court St. Clair County, IL

2009 – 2010 – Lafarge North America vs. The Andersons, Inc. – Court Appointed Special Master for both parties - Railcar inspections, condition and lease term value – Attorneys: Laura Hauser of *Thompson Hine, LLP* and James Silk of *Spengler Nathanson* in Cleveland, OH. Case No. 3:09-cv-222 in United States District Court Northern District of Ohio – Western Div.

2008-2011 - Seminole Electric Cooperative vs. CSX Transportation – Rail Rate case
Attorney: Christopher Mills of *Slover & Loftus* in Washington, DC. Before the United States Surface Transportation Board, Docket # 42088

2008 – Coos-Siskiyou Shipper Coalition vs. Central Oregon and Pacific Railroad – Challenge of rail service and common carrier obligation Emergency Service Order request – Attorney: Tom McFarland of Thomas F. McFarland, PC in Chicago, IL Docket # 35175 with US Surface Transportation Board.

2007-2008 – Norfolk Southern Railroad vs. Ambros Brothers Construction – Property and train delay revenue and cost damages – Attorney: Jeff Hienrichs of *McLeod and Heinrichs* in St. Louis, MO. Case # 06CH-CC00011 in the Circuit Court of Chariton County, State of Missouri.

2004 – Oregon Pacific Railroad (OPR) Verification of value of rail line for divorce settlement. Attorney: Brett Engel of *Stahancyk, Gearing, Rackner & Kent* in Portland, OR. Case # DR02-04-788 in Circuit Court of State of Oregon, County of Clackamas

2003 – Albany and Eastern Railway Company (AERC) Verification of value of rail line for divorce settlement. Attorney: Gilbert Feibleman of *Feibleman and Case Attorneys* in Salem, OR. No Docket # provided to RII.

2000-2001 – Pacific Coast Building Products Company (PABCO) - Patent Infringement case
Attorney: Ned Gelhaar of *Boutin Dentino Gibson Digiusti Hodell & West* in Sacramento, CA. Case # 793288-5 Superior Court of State of California.

Additional expert witness service not resulting in testimony but include reports, inspections, research or advisory services:

Aug. 2022 – Sept. 2022 - Renee Walton v. City and County of San Francisco – Rail Injury Case – Attorney: of XXX in San

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Francisco, CA. Case No: CGC-19-580194 in the San Francisco County Superior Court (case settled)

Sept. 2020 – 2022 – Lakeview Railway v. Lake County Rail District – Loss of Business Case - Attorney: Kelsey A. Terry of *Betts Patterson and Mines* PS in Portland, OR Case No. 1:17-cv-00675-MC in the United States District Court-District of Oregon, Medford Division (case settled)

April 2021 – 2022 - Helm, U.S. vs. The Sherwin-Williams Company – Chemical Transportation Case-Equipment - Attorney: Matthew Caligur of *Baker Hostetler* in Houston, TX. (Case settled)

Aug. 2020 – 2021 – Craig Berkheiser v. BNSF Railway on behalf of H&H Construction – Railway Injury Liability case. Attorney: Elisabeth Thomasian of *Emerson Sorensen Church Law* in Dallas, TX. Case No. 18CECG03675 in the Superior Court of the State of California, County of Fresno. (case settled)

Jan.2020 - 2022– Nathan Jefferey Scott v. URT Quality Towing – Attorneys: Jacqueline Bretel and Noah Duran of *Bighorn Law* in Las Vegas, NV. Case No. A-18-781375-C in the Eighth Judicial District Court of Clark County, Nevada.

July. 2020 – Aug. 2020 – CH4 Energy/Finley, Utah, LLC v. Salt Lake Garfield and Western Railway Co.– Railway safety, haz-mat rules and service liability case. Attorney: Steven Garff of Price Parkinson & Kerr *Trial* in Salt Lake City, UT. Case No. 01-20-005-2808.

Dec. 2018 – Whiteds Environmental Inc. v. Fort Worth TEG, Inc. aka Stratflex – Railcar service, operations and loss of business. Attorney: Lauren Reynolds of *Hayter Reynolds Law* in Shreveport, LA. Civil Action No. 3:16-CV-3036 in the United States District Court Western District of Arkansas Harrison Division.

Nov. 2017 – Jun. 2018 – Kansas City Southern Railway Co. v. Loan Star Railroad Contractors, Inc. and Railpros Field Services, Inc. – Derailment Damages case. Attorney: Sean Fleming of *Macdonald Devin* in Dallas, TX.

Jun. 2017 – 2018 – Eagle Railcar Services v. NGL Crude Logistics – Business loss/railcar storage case. Attorney: Randall Dean of *Brown Pruitt Wambsganss Ferrill & Dean, PC* in Dallas, TX. Case No. 1:16-cv-00153-C-BL in the United States District Court for the Northern District of Texas Abilene Division.

Jul. 2017 – Nov. 2017 - Kalchenya v. Norfolk Southern Railway – Truck/Train Collision-Repair Damages Auditing; Attorneys: Barry Burgess of *McNabb, Bragorgos & Burgess* in Memphis, TN and Ena Viteskic of *Kerrick Brachert* in Bowling Green, KY. Case No. H91 15-CI-530 29.5829 Division II in the Circuit Court of Kentucky for the Judicial District at Pulaski County.

Feb. 2017 – 2020 – Mark Robinson v. Union Pacific Railroad – FELA Injury; Attorney: Naveen Flores-Dixit of Bohm Law Group in San Joaquin, CA. Case No. 39-2015-00322208-CU-PO-STK in the Superior Court of the State of California in and for the County of San Joaquin.

Feb. 2017 – Mar. 2018 – Gehr Group v. Railroad – Fire Damaged Property; Attorney: Tim Cary of *Robert Stutman Law* in City of Commerce, CA. (Claim adjusted).

Feb. 2017 – Jun. 2018 – Meredith v. A&I Transport – Locomotive Damages – Attorney: Sharon Hightower of *Erickson Arbuthnot* in San Jose, CA.

Jan. 2017 – Feb. 2017 - Liberty Mutual v. Union Pacific Railroad – Insurance Claim/Railroad Damages; Agent: Jay Jacobsen of Liberty Mutual in Phoenix, AZ. (Claim adjusted)

Nov. 2016 – Apr. 2018 - Amtrak v. Fox Trucking – Locomotive Damages; Attorney: Vincent Hurley of *Law Offices of Vincent P. Hurley* in Aptos, CA. (Insurance Claim/Case settled).

Sept. 2015 – 2017 – City of Milwaukie (OR) v. Oregon Pacific Railroad Company – lease and property rights; Attorney: Blair Townsend of *Michael Wise and Associates* in Portland, OR. Docket No. FD35625 before the United States Surface Transportation Board. (Case settled).

2013 – Mar. 2017 – Eric Ransome v. Espinoza, TriCal, "Amtrak" et al. – carrier liability and injury case for defendants; Attorney: Rosaline Ayoub of *Kramer DeBoer and Keane* in Riverside, CA. Case No. RIC1306443 in the Superior Court for the State of California, Riverside County.

Dec. 2015 – 2017 – Rail Safety Training Advisory/Subject Matter Expert – PG&E Academy-Safety Training – Sr. Instruction

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Designer, Lauren Manitta, San Francisco, CA.

Jul. 2016 – Jun. 2017 - Rail Trusts Locomotive Leasing v. SunCoke Energy. Locomotive lease revenue case. Attorney: W. Bradley Russell of *Foley and Lardner, LLP* in Jacksonville, FL. Case No. 3:15-cv-1112-BJD-MCR in the United States District Court Middle District of Florida Jacksonville Division.

July 2016 – Jan. 2017 – Relco Finance v. Western Metals Recycling. Locomotive lease revenue/rules. Attorney: Jeffery M. Heftman of *Gozdecki, Del Giudice, Americus, Farkas & Brocato LLP* in Chicago, IL. Case No. 13 L 12243 in the Circuit Court of Cook County, Illinois County Department Law Division.

July 2016 – BNSF Railway v. Trucking Company. Damages Review for Insurance Claim. Adjuster: Jacob Geisler of Great West Casualty in Sioux City, NE. Claim No. J36208.

Jun. 2016 – Jun. 2017 – Carrillo & Powers v. CSX, Paducah and Louisville Railway, et al. Contractor liability with fatality. Attorney: Miller Grumley of *Bradley, Freed and Grumley, LLP* in Paducah, KY. Case No. 13 CI 05306 in the Circuit Court of Jefferson County, Commonwealth of Kentucky. (Client released as defendant).

May 2016 – Dec. 2016 – SMART v. Silveira – property dispute. Attorney: Gregory Aker of *Burke, Williams, Sorensen Law* in Marin County, CA. Case No. CIV 1402433 in the Superior Court of California, County of Marin. (Case settled).

Jan. 2016 – Jun. 2017- Villalobos v. T & O Railroad – crossing incident. Attorney: Corban Porter of *Wood, Smith, Henning and Berman* in Concord, CA. Case No. FCS044479 in the Superior Court of California, County of Solano. (Case settled).

Jan. 2016 – Dec. 2016 - Alton Lamar Miller v. CSX, Omnitrax, NS, et al. – Right-of-way property in Florida. Attorney: Christopher Hanson of *Hanson Law Firm* in San Francisco, CA. Case No. (preliminary research)

July 2015 – 2016 – Ortiz Trucking/Scottsdale Insurance v. Amtrak – railcar damages. Attorney: James Emerson of *Emerson Sorenson Church Law* in Fresno, CA. Claim No. 01497455 (claim adjusted)

Apr. 2015 – 2016 – Kim v. Caltran – Crossing fatality – Attorney: Ram Fletcher of *Bohn Fletcher Law* in San Jose, CA. (Case settled before filing).

Feb. 2015 – 2016 – Williams v. Union Pacific Railroad – Crossing fatality – Attorney: Paul van der Walde of *Caputo & Van Der Walde LLP* in Campbell, CA. (Case settled before filing).

Jan.-May 2015 – Patriot Group v. Hilco – Railcar evaluations – Attorney: Lauren Newman of *Thompson Coburn* in Chicago, IL. Evaluations submitted and expert released as case went another direction.

2013 – 2016 – Scottsdale Insurance Co./Celia Ramirez v. Jimenez/Amtrak/National – railcar damages, safety and rules. Attorney: James Emerson of *Emerson Sorenson Church Law* in Fresno, CA. Case No. 1:13-CV-02085-AWI-GSA in the United States District Court – Eastern Division. (claim adjusted)

2014 – 2015 – Valdez v. LA Rice Mills – carloading fatality case; Attorney: Jeffery Williams of *Taylor Anderson, LLC* in Denver, CO. Docket No. L-3397-12 in the Superior Court of New Jersey, Law Division, Hudson County. (case settled).

May 2014 – 2015 – Bay Area Transit Authority – damaged derailed coaches assessment. Agent: Mike Allen of *McClarens Global Claims Adjusters* in San Francisco, CA. Claim No. 002.033150.MI.A. (claim adjusted).

2014 - 2015 Joseph Fuentes v. Kern Oil and Refining Company - Worker's Comp case; Attorney: David Cohn of *Chain Cohn Stiles Law* in Bakersfield, CA. (case settled)

2013 - 2015 – Total Petrochemicals and Refining v. CSX Transportation – rate regulation case. Attorney: Jeffrey Moreno of *Thompson Hines* in Washington DC. Docket No. NOR42121 with the United States Surface Transportation Board.

2012-2015 - Estate of Troester v. Great Northern paper Co. - Carloading fatality liability case; Attorney: Richard M. Jurewicz of *Galfand Berger LLP* in Philadelphia, PA. Case No. 001722 in the Court of Common Pleas, Philadelphia County, Pennsylvania. (Case settled).

Feb.-Jun. 2013 – Sunbelt Chlor Alkali Partnership v. Norfolk Southern Railroad Company – rate regulation case – Attorney: Jeffrey Moreno of *Thompson Hines* in Washington DC. Docket No. NOR 42130 with the United States Surface Transportation

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Board.

Feb-Aug. 2013 – Vopak North America v. Intercontinental Terminals Company, LLC – commercial right of way, access and easement issue within Port of Houston – Attorney: Todd Mensing of *Ahmad, Zavitsanos, Anaipakos, Alavi and Mensing Law* in Houston, TX. Case No. 2010-66657 in the District Court of Harris County, TX, 133rd Jusidical District. (case settled).

2012-2013 – DuPont and Company v. Norfolk Southern Railroad Company – rate regulation case – Attorney: Jeffrey Moreno of *Thompson Hines* in Washington DC. Docket No. NOR 42125 with the United States Surface Transportation Board.

2012-2013 - RTC and Lexington Insurance v. Union Pacific Railroad and BNSF Railway Company – Derailment damages case - Attorney: Paul B. Hines of *Denenberg Tuffley PLLC* in Southfield, MI. Case # 11-CV-148 in United States District Court County of Arapahoe, Colorado. (case settled).

2012-2013 – CSX Transportation vs. Helena Chemical – Derailment damages case – Attorney: T. Gary Gorday of *Buckley Law Group, P.A.* in Miami Lakes, FL. Case # CACE09032878 in the Circuit Court of the 17th Judicial Circuit for Broward County, State of Florida Civil Division. (case settled).

Sept-Nov. 2012 – Asarco v. Puget Sound Energy - traffic analysis on historical rail system – Attorney: Chris Baird of *Perkins Coie* in Bellevue, WA. (case settled).

2011-2012 – Tunson v. CalTrans, Amtrak, LA Metrolink, et al – Passenger station crossing fatality case: Attorney: Phillip Boesch of *Boesch Law Group* in Santa Monica, CA in the Superior Court of the state of California for the County of Los Angeles.

2011 – Modesto Empire Traction Company v. BNSF Railway – Rail Injury and Agreement Dispute Attorney: Youlet Ovrachim of *Curtis Legal Group* in Modesto, CA. (Case settled).

2011-2016 – Burbank Glendale Pasadena Airport Authority vs. Union Pacific Railroad – Eminent Domain Acquisition case – Attorney: Michael Yoshiba of *Richards, Watson and Gershon* in Los Angeles, CA. Case # BS 131944 Superior Court of State of California County of Los Angeles.

2011-2012 – Ed Henderson v. General American Transportation Corporation (GATX), NYRSTAR, and RESCAR Industries - Hazardous Materials, Tank Car Injury Case. Attorney: Courtney Smith of *Smith & Stallworth Attorneys at Law* in Tampa, FL. (Case settled)

2011 - National Railroad Passenger Corporation, Amtrak v. Burton Olsen Trucking. Equipment Damages Claims Case; Attorney: Theodore Hoppe of *Hoppe Law Group* in Fresno, CA. Case No. 1:09-cv-01190-OWW-SKO, United States District Court, Eastern District of California. (Case settled)

2010 - Scottsdale Insurance Company and Y Tire Sales Inc. v. Union Pacific Railroad and Does 1 to 50 - Rail Right of Way liability for fire damages. Attorney: Jeffrey C. Sparks of *Moorehead and Sparks* in Redondo Beach, CA. For the Superior Court of the State of California in and for the County of Los Angeles (Case Settled)

2010 - 2011 State of Maine DOT v. Maine, Montreal & Atlantic Railroad - STB Abandonment dispute. Attorney: Eric M. Hocky of *Thorp Reed & Armstrong, LLP* in Philadelphia, PA. Before the United States Surface Transportation Board, Docket # AB 1043 (Sub-No. 1) (all issued negotiated and settled)

2009 – Branckewicz and Piekutz vs. BNSF Railway – Assessment of safety protocols and liability for injury to 2 contracted workers at a BNSF terminal. Attorney: John Marszalek of *Marszalek and Marszalek* in Chicago, IL. Case No. 05 L 14221 and Case No. 06 L 10609 in the Circuit Court of Cook County, Illinois, County Department, Law Division (case settled).

2009 - Richard Cader v. Columbia & Cowlitz Railway Co., et al. – FELA Liability Assessment case Attorney: Bahareh Samanian of *Rossi Cox Vucinovich Flaskamp PC* in Bellevue, WA. Case # C08-5711FDB in United States District Court Western District of Washington

2008 – Carl Kelly vs. City of Philadelphia, Conrail, et. Al. – Injury liability case Attorney: James T. Vernile of *Vernile Law Offices* in Philadelphia, PA Case #001430 in Court of Common Pleas of Philadelphia County (Case settled).

2008 – PR Farms, Inc. vs. Amtrak – Challenge of car repair damages – Attorney: Theodore Hoppe of *Hoppe Law Group* in

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Fresno, CA. Case # 107-cv-1639 OWW GSA United States District Court; Eastern District (Case settled).

2007-2010 – General Electric vs. National Steel Car – Warranty Dispute on Railcars – Attorney: Megan Poetzle of *Jenner and Block* in Chicago, IL. Case #04-L-003473 in the Circuit Court of Cook County, IL (Case settled)

2007 – Western Rail Services – Evaluation of assets for divorce settlement

Attorney: Allen Gauper of *Salina, Sanger and Gauper* in Spokane, WA. Case# 06-3-02220 in the Superior Court of Washington County of Spokane (Case settled).

2006 – John Miller – Railcar Injury Case. Attorney: Randy Andrus in Folsom, CA. Case # 2:06 CV-00377 FCD EFB in the United States District Court – East District of California (Case closed by judge)

2005 – Amtrak – Loss of revenue case. Attorney: Kalea of *Wilmer Cutler Pickering Hale and Dorr* (provided services for another RII representative who testified).

2005 – Western Farm Services – Switch Injury case. Attorney: David Kippur of *Booth Mitchell Strange* in Los Angeles, CA. (Case settled).

2005 – Colorado and Wyoming – Job injury case. Attorney: Chip Delap of *Dufford and Brown* in Denver, CO Case# 04-MK-1651 (Case settled).

2005 – 2009 - Southeast Produce vs. Ambrosino – Transportation cost damages case Attorney: Anna Giuliano of *Wong, Wong and Associates* in New York, NY. Case #28441/99 in Supreme Court of the State of New York – County of Queens.

2004 – Amtrak – Rate case. Attorney: Ronan McHugh of Thelen Reid & Priest LLP in Washington DC; No Case # (Case settled).

1988 - Rio Grande and Pacific Railroad National Merger Case– Verification of traffic data

Union Pacific and South Orient Express National Class I Case – Loss of business case