

Dickie McCamey

Eric D. Thompson
Attorney-at-Law
Admitted in OH

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September 15, 2014

BY HAND DELIVERY

Mr. Bryce McKenney
Hearing Examiner
180 East Broad Street
Columbus, Ohio 43215

RE: In the Matter of the Petition of CSX Transportation, Inc. to Close to Vehicular Traffic the Bloominggrove-New Winchester Road (Crawford-Morrow County Line Road) Crossing in Washington Township, Morrow County, Ohio
Case No: 14-0379-RR-UNC

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2014 SEP 16 PM 1:08
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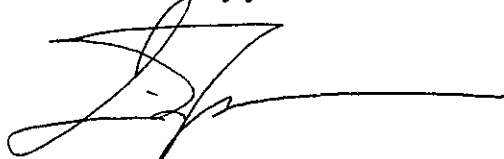
Dear Mr. McKenney:

Enclosed, please find seven Motions for Subpoena Duces Tecum for the Depositions of fact witnesses in the above-referenced case for your consideration pursuant to the expedited procedures set forth in the Ohio Administrative Code Rule 4901-1-25(A)(2) in order to accommodate sufficient notice to all parties.

If you are unavailable to sign immediately, please return the signed subpoenas to my attention in the enclosed pre-addressed envelope.

Thank you for your attention in this matter.

Sincerely yours,


Eric Thompson

EDT

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SMO Date Processed SEP 16 2014

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
County, Ohio

Case No. 14-0379-RR-UNC

* * *

MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Phillip Jackson, Chief of the Galion City Fire Department, with a business address of 301 Harding Way, East, Galion, Ohio 44833, to attend a deposition in the above styled case at 11:30 A.M., October 2, 2014, at the Galion Public Library, Staff Conference Room, 123 North Market Street, Galion, Ohio 44833. Chief Jackson is to bring the following documents with him to the deposition and make them available:

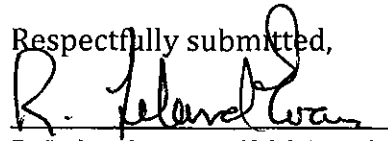
1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west

of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,



R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, MCCAMEY & CHILCOTE, P.C.

2109 Stella Court

Columbus, Ohio 43215

(614) 258-6000 Telephone

(614) 258-6006 Facsimile

revans@dmclaw.com

ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum, Chief Phillip Jackson* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
Columbus, Ohio 43223

Sandra Coffey
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

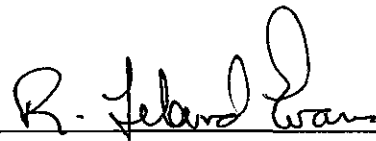
Crawford County Commissioners
Donald E. Long, Auditor
112 E. Mansfield Street, Suite 304
Bucyrus, Ohio 44820

Morrow County Commissioners
80 N. Walnut Street, Suite A
Mt. Gilead, Ohio 43338

Morrow County Engineer
50 East High Street, Courthouse
Mt. Gilead, Ohio 43338

Cathy Stout
Ohio Rail Development
Commission
1980 West Broad Street, 2nd Floor
Columbus, Ohio 43223

Brenda Fargo
Washington Township
3563 State Route 309
P.O. Box 11
Iberia, Ohio 43325

A handwritten signature in black ink, appearing to read "R. Leland Evans", is written over a horizontal line.

R. Leland Evans

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
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Crossing in Washington Township, Morrow
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Case No. 14-0379-RR-UNC

* * *

SUBPOENA DUCES TECUM

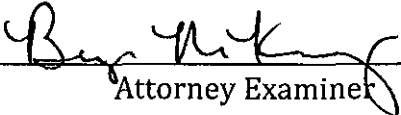
Upon application of CSX Transportation, Inc. ("CSX"), you, Chief Phillip Jackson, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 2, 2014 at 11:30 A.M., until completed, at the Galion Public Library, Staff Conference Room, 123 North Market Street, Galion, Ohio 44833.

You shall attend and bring with you for examination the following documents:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014 
Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Phillip Jackson on the ____ day of ____, 2014 at _____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
- d) mailing it via US certified mail, return receipt requested with instructions to the delivering postal authority to show to whom delivered, date of delivery, and address where delivered.

Signed,

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Case No. 14-0379-RR-UNC

* * *

MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Scott M. Kent, Crawford County Sheriff, with a business address of 3613 Stetzer Road, Bucyrus, Ohio 44820, to attend a deposition in the above styled case at 10:00 A.M., October 13, 2014, at the offices of the Crawford County Sheriff, Roll call Room, located at 3613 Stetzer Road, Bucyrus, Ohio 44820. Sheriff Kent is to bring the following documents with him to the deposition and make them available:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west

of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,



R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, McCAMEY & CHILCOTE, P.C.

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Columbus, Ohio 43215

(614) 258-6000 Telephone

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ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum, Scott M. Kent* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
Columbus, Ohio 43223

Sandra Coffey
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215


Crawford County Commissioners
Donald E. Long, Auditor
112 E. Mansfield Street, Suite 304
Bucyrus, Ohio 44820

Morrow County Commissioners
80 N. Walnut Street, Suite A
Mt. Gilead, Ohio 43338

Morrow County Engineer
50 East High Street, Courthouse
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Commission
1980 West Broad Street, 2nd Floor
Columbus, Ohio 43223

Brenda Fargo
Washington Township
3563 State Route 309
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R. Leland Evans

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In the Matter of the Petition of CSX
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Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
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Case No. 14-0379-RR-UNC

* * *

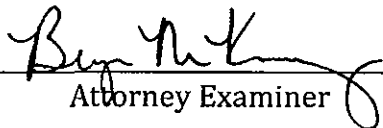
SUBPOENA DUCES TECUM

Upon application of CSX Transportation, Inc. ("CSX"), you, Scott M. Kent, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 7, 2014 at 9:30 A.M., until completed, at the offices of the Crawford County Sheriff, Roll call Room, located at 3613 Stetzer Road, Bucyrus, Ohio 44820.

You shall attend and bring with you for examination the following documents:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow-Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.
4. This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014 
Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Scott M. Kent on the ____ day of ____, 2014 at _____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
- d) mailing it via US certified mail, return receipt requested with instructions to the delivering postal authority to show to whom delivered, date of delivery, and address where delivered.

Signed,

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
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Case No. 14-0379-RR-UNC

* * *

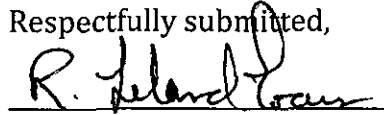
MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Patrick Duffner, an employee of Galion City Schools, with a business address of 828 Edward Street, Galion, Ohio 44833, to attend a deposition in the above styled case at 3:00 P.M., October 2, 2014, at the Galion Public Library, Staff Conference Room, 123 North Market Street, Galion, Ohio 44833. Mr. Duffner is to bring the following documents with him to the deposition and make them available:

1. Any and all route sheets relied upon by any bus driver for the area within two miles of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road, and
2. Any and all route maps detailing the routes taken by all buses for the Galion City School District, in particular, those routes that utilize the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County line road.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Leland Evans", is written over a horizontal line.

R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, MCCAMEY & CHILCOTE, P.C.

2109 Stella Court

Columbus, Ohio 43215

(614) 258-6000 Telephone

(614) 258-6006 Facsimile

revans@dmclaw.com

ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum, Patrick Duffner* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
Columbus, Ohio 43223

Sandra Coffey
Public Utilities Commission of Ohio
180 East Broad Street
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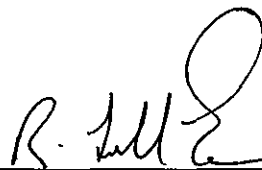
Crawford County Commissioners
Donald E. Long, Auditor
112 E. Mansfield Street, Suite 304
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Morrow County Commissioners
80 N. Walnut Street, Suite A
Mt. Gilead, Ohio 43338

Morrow County Engineer
50 East High Street, Courthouse
Mt. Gilead, Ohio 43338

Cathy Stout
Ohio Rail Development
Commission
1980 West Broad Street, 2nd Floor
Columbus, Ohio 43223

Brenda Fargo
Washington Township
3563 State Route 309
P.O. Box 11
Iberia, Ohio 43325



R. Leland Evans

BEFORE
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In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
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Case No. 14-0379-RR-UNC

* * *

SUBPOENA DUCES TECUM

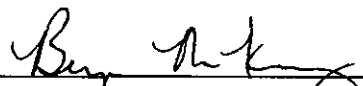
Upon application of CSX Transportation, Inc. ("CSX"), you, Patrick Duffner, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 2, 2014 at 3:00 P.M., until completed, at the Galion Public Library, Staff Conference Room, 123 North Market Street, Galion, Ohio 44833.

You shall attend and bring with you for examination the following documents:

1. Any and all route sheets relied upon by any bus driver for the area within two miles of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road, and
2. Any and all route maps detailing the routes taken by all buses for the Galion City School District, in particular, those routes that utilize the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County line road.

This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014



Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Patrick Duffner on the ____ day of ____, 2014 at _____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
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Signed,

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In the Matter of the Petition of CSX
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Road (Crawford-Morrow County Line Road)
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County, Ohio

Case No. 14-0379-RR-UNC

* * *

MOTION FOR ISSUANCE OF A SUBPOENA

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Jeff Sparks, Chief of Morrow County Emergency Services, with a business address of 140 South Main Street, Mt. Gilead, Ohio 43338, to attend a deposition in the above styled case at 2:00 P.M., October 7, 2014, at the Morrow County Chamber of Commerce, located at 17 West High Street, Mt. Gilead, Ohio 43338. Chief Sparks is to bring the following documents with him to the deposition and make them available:

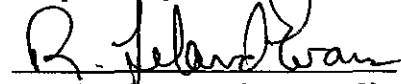
1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west

of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,



R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, McCAMEY & CHILCOTE, P.C.

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Columbus, Ohio 43215

(614) 258-6000 Telephone

(614) 258-6006 Facsimile

revans@dmclaw.com

ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum of Jeff Sparks* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
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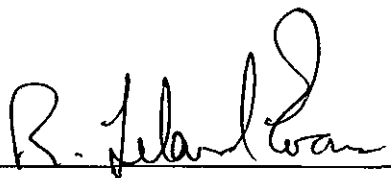
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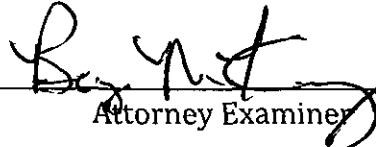
SUBPOENA DUCES TECUM

Upon application of CSX Transportation, Inc. ("CSX"), you, Jeff Sparks, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 7, 2014 at 2:00 P.M., until completed, at the Morrow County Chamber of Commerce, located at 17 W. High Street, Mt. Gilead, Ohio 43338.

You shall attend and bring with you for examination the following documents:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.
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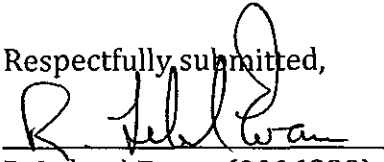
Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Steven R. Brenneman, Morrow County Sheriff, with a business address of 101 Home Road, Mt. Gilead, Ohio 43338, to attend a deposition in the above styled case at 9:30 A.M., October 7, 2014, at the Morrow County Chamber of Commerce, located at 17 West High Street, Mt. Gilead, Ohio 43338. Sheriff Brenneman is to bring the following documents with him to the deposition and make them available:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
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Respectfully submitted,

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Eric D. Thompson (0088166)
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Attorneys for CSX Transportation, Inc.

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Brenda Fargo
Washington Township
3563 State Route 309
P.O. Box 11
Iberia, Ohio 43325



R. Leland Evans

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
County, Ohio

Case No. 14-0379-RR-UNC

* * *

SUBPOENA DUCES TECUM

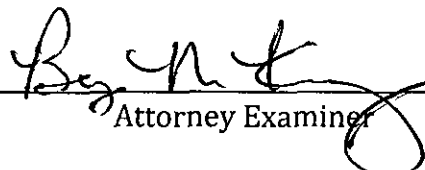
Upon application of CSX Transportation, Inc. ("CSX"), you, Steven R. Brenneman, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 7, 2014 at 9:30 A.M., until completed, at the Morrow County Chamber of Commerce, located at 17 W. High Street, Mt. Gilead, Ohio 43338.

You shall attend and bring with you for examination the following documents:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014 
Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Steven R.

Brenneman on the ____ day of ____, 2014 at ____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
- d) mailing it via US certified mail, return receipt requested with instructions to the delivering postal authority to show to whom delivered, date of delivery, and address where delivered.

Signed,

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
County, Ohio

Case No. 14-0379-RR-UNC

* * *

MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Steven F. Smith, Assistant Chief of the Iberia Volunteer Fire Department, with a business address of 3450 State Route 309, Galion, Ohio 44833, to attend a deposition in the above styled case at 4:00 P.M., October 7, 2014, at the Morrow County Chamber of Commerce, located at 17 West High Street, Mt. Gilead, Ohio 43338. Mr. Smith is to bring the following documents with him to the deposition and make them available:

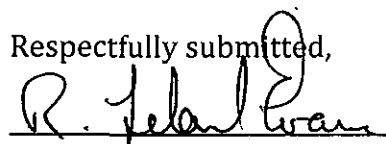
1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west

of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.

3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,



R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, MCCAMEY & CHILCOTE, P.C.

2109 Stella Court

Columbus, Ohio 43215

(614) 258-6000 Telephone

(614) 258-6006 Facsimile

revans@dmclaw.com

ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum of Steve F. Smith* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
Columbus, Ohio 43223

Sandra Coffey
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215


Crawford County Commissioners
Donald E. Long, Auditor
112 E. Mansfield Street, Suite 304
Bucyrus, Ohio 44820

Morrow County Commissioners
80 N. Walnut Street, Suite A
Mt. Gilead, Ohio 43338

Morrow County Engineer
50 East High Street, Courthouse
Mt. Gilead, Ohio 43338

Cathy Stout
Ohio Rail Development
Commission
1980 West Broad Street, 2nd Floor
Columbus, Ohio 43223

Brenda Fargo
Washington Township
3563 State Route 309
P.O. Box 11
Iberia, Ohio 43325


R. Leland Evans

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX Case No. 14-0379-RR-UNC
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
County, Ohio

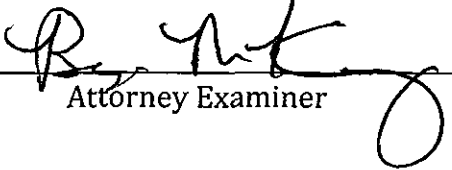
* * *
SUBPOENA DUCES TECUM

Upon application of CSX Transportation, Inc. ("CSX"), you, Steven F. Smith, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 7, 2014 at 4:00 P.M., until completed, at the Morrow County Chamber of Commerce, located at 17 W. High Street, Mt. Gilead, Ohio 43338.

You shall attend and bring with you for examination the following documents:

1. Any and all documents or reports that summarize the location of runs made from January 2010 through the present, including in particular runs made to properties/locations within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, also known as Morrow Crawford County Line Road; and
2. In the event there are no summary reports as identified in No. 1 above, any other records of calls or other emergency response from January 2010 until the present regarding properties located within a one-mile radius of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road.
3. Any other document(s) discussing the route to be taken by emergency responders responding to calls from the above referenced geographic area.

This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014 
Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Steven F. Smith
on the ____ day of ____, 2014 at ____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
- d) mailing it via US certified mail, return receipt requested with instructions to the
delivering postal authority to show to whom delivered, date of delivery, and address where
delivered.

Signed,

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloomingrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
County, Ohio

Case No. 14-0379-RR-UNC

* * *

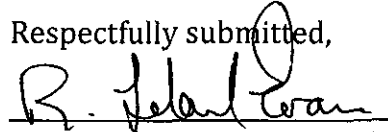
MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Dean Van Horn, an employee of Northmor School District, with a business address of 7819 State Route 19, Galion, Ohio 44833, to attend a deposition in the above styled case at 11:00 A.M., October 7, 2014, at the Morrow County Chamber of Commerce, located at 17 West High Street, Mt. Gilead, Ohio 43338. Mr. Van Horn is to bring the following documents with him to the deposition and make them available:

1. Any and all route sheets relied upon by any bus driver for the area within two miles of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road, and
2. Any and all route maps detailing the routes taken by all buses for the Northmor School District, in particular, those routes that utilize the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County line road.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Leland Evans", is written over a horizontal line.

R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, MCCAMEY & CHILCOTE, P.C.

2109 Stella Court

Columbus, Ohio 43215

(614) 258-6000 Telephone

(614) 258-6006 Facsimile

revans@dmclaw.com

ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum, Dean Van Horn* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
Columbus, Ohio 43223

Sandra Coffey
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

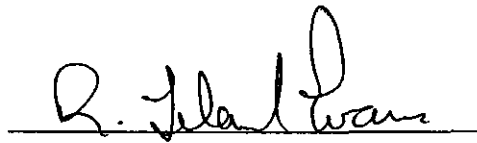
Crawford County Commissioners
Donald E. Long, Auditor
112 E. Mansfield Street, Suite 304
Bucyrus, Ohio 44820

Morrow County Commissioners
80 N. Walnut Street, Suite A
Mt. Gilead, Ohio 43338

Morrow County Engineer
50 East High Street, Courthouse
Mt. Gilead, Ohio 43338

Cathy Stout
Ohio Rail Development
Commission
1980 West Broad Street, 2nd Floor
Columbus, Ohio 43223

Brenda Fargo
Washington Township
3563 State Route 309
P.O. Box 11
Iberia, Ohio 43325


R. Leland Evans

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
Traffic the Bloominggrove-New Winchester
Road (Crawford-Morrow County Line Road)
Crossing in Washington Township, Morrow
County, Ohio

Case No. 14-0379-RR-UNC

* * *

SUBPOENA DUCES TECUM

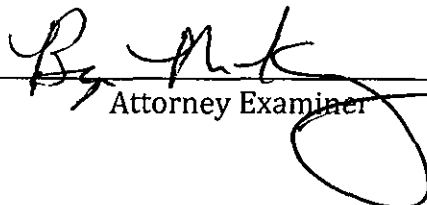
Upon application of CSX Transportation, Inc. ("CSX"), you, Dean Van Horn, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 7, 2014 at 11:00 A.M., until completed, at the Morrow County Chamber of Commerce, located at 17 W. High Street, Mt. Gilead, Ohio 43338.

You shall attend and bring with you for examination the following documents:

1. Any and all route sheets relied upon by any bus driver for the area within two miles of the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County Line Road, and
2. Any and all route maps detailing the routes taken by all buses for the Northmor School District, in particular, those routes that utilize the railroad crossing west of State Route 309 on County Road 8, otherwise known as Morrow-Crawford County line road.

This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014



Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Dean Van Horn on the ____ day of September, 2014 at _____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
- d) mailing it via US certified mail, return receipt requested with instructions to the delivering postal authority to show to whom delivered, date of delivery, and address where delivered.

Signed,

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX
Transportation, Inc. to Close to Vehicular
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Road (Crawford-Morrow County Line Road)
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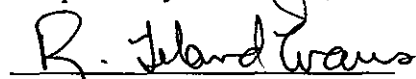
* * *

MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM

Now comes CSX Transportation, Inc. ("CSX"), pursuant to Rules 4901-1-21 and 4901-1-25 of the Ohio Administrative Code and moves this Commission and the Attorney Examiner to issue a subpoena duces tecum requiring Rick Fox, a citizen of Crawford County, Ohio, with a residential address of 6040 Crawford-Morrow County Line Road, Galion, Ohio 44833, to attend a deposition in the above styled case at 1:30 P.M., October 2, 2014, at the Galion Public Library, Staff Conference Room, 123 North Market Street, Galion, Ohio 44833.

The deposition will be recorded by stenographic means. The proposed subpoena duces tecum is appended to this application. Upon receiving the original signed subpoena, Counsel for CSX will arrange for service.

Respectfully submitted,



R. Leland Evans (0006833)

Eric D. Thompson (0088166)

DICKIE, McCAMEY & CHILCOTE, P.C.

2109 Stella Court

Columbus, Ohio 43215

(614) 258-6000 Telephone

(614) 258-6006 Facsimile

revans@dmclaw.com

ethompson@dmclaw.com

Attorneys for CSX Transportation, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing *Motion for Subpoena Duces Tecum, Rick Fox* was served by mailing same, regular U.S. mail, postage prepaid, this 16th day of September, 2014 upon the following:

Charles S. Howland
Morrow County Prosecutor
60 E. High Street
Mount Gilead, Ohio 43338

Matthew R. Dietrich
Executive Director
Ohio Rail Development Commission
1980 West Broad Street
Columbus, Ohio 43223

Sandra Coffey
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County, Ohio

Case No. 14-0379-RR-UNC


* * *

SUBPOENA DUCES TECUM

Upon application of CSX Transportation, Inc. ("CSX"), you, Rick Fox, are hereby required to attend and make yourself available to give testimony at a deposition in the above captioned matter on October 2, 2014 at 1:30 P.M., until completed, at the Galion Public Library, Staff Conference Room, 123 North Market Street, Galion, Ohio 44833.

This subpoena duces tecum is issued under the authority granted to the Public Utilities Commission of Ohio in Sections 4901.22 and 4903.06 of the Ohio Revised Code.

Dated this 15 day of September, 2014



Attorney Examiner

RETURN: I hereby certify that I served the within subpoena personally on Rick Fox on the ____ day of ____, 2014 at _____, by (circle one)

- a) delivering a copy to him or his agent personally;
- b) reading the subpoena to him in person;
- c) leaving a copy at his place of residence; or
- d) mailing it via US certified mail, return receipt requested with instructions to the delivering postal authority to show to whom delivered, date of delivery, and address where delivered.

Signed,
