



American Railway
Development Association

2015 Annual Meeting

PRESENTING

The Changing Face of Business



DENVER, CO

Westin Denver Downtown

July 12–15, 2015

Introduction

Since 1906, ARDA has provided a forum for the North American railroad community to meet and effect positive change:

“The objectives of the Association are to foster the industrial, real estate, natural resources, market development activities and environmental concerns of the North American railroads; and through the advancement of ideas and education of its members further promote the effectiveness of railway development and related work.”

The American Railway Development Association (ARDA) is a not-for-profit educational trade association founded in 1906 to promote Economic Development, Real Estate Development, Technology, and Environmental Activities of the North American Railroads. ARDA achieves this through the advancement of ideas and education of members to further promote the effectiveness of railway development.

ARDA encourages membership from all classes of railroads throughout North America. Members also include professionals from other associations, agencies, and railroad service partners that have a direct effect on rail business today. ARDA's membership variety provides a wide perspective on issues facing the railroad industry in the 21st Century.

The Economic Development Section is focused on enhancing rail business through the expansion and location of new railway and customer facilities. The Real Estate Section works to address the challenges that the rail industry faces in the acquisition, sale, and lease of real property.

The Environmental Section represents the environmental interests of the rail industry and provides awareness and information transfer on related topics. The Technology Section promotes technology and systems that advance matters pertaining to railroad environmental, real estate, and economic development activities. The Law Section focuses on legal issues affecting the railroad industry.

ARDA's section structure and its events not only provide informative programs, but also allow members to network with their industry peers. ARDA members include representatives from all of the Class 1 railroads, several short line and regional railroads, as well as professionals in real estate, economic development, environmental, engineering, legal, and other disciplines. The ARDA conference is an excellent educational and networking opportunity.

Our 2015 ARDA Sponsors

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LJA Engineering
Omega Rail Management
ProSource Technologies

Thank you for your support!

2015 ARDA Annual Meeting

Sunday, July 12

8:15 AM–1:30 PM

Early Bird Golf Tournament

First Tee Time at 9:00 AM

Grab-and-Go Breakfast is Included

Fox Hollow Golf Course

13410 W. Morrison Rd.

Lakewood, CO 80228

4:00 PM–5:30 PM

Registration at Westin Denver Downtown

Blake Room

6:00 PM–7:30 PM

Reception at Union Station (Registration Available)

Union Station Beer Garden

1701 Wynkoop St.

Denver, CO 80202

7:30 PM–11:00 PM

Silent Auction Opens in ARDA Hospitality Suite

Blake Room

Meeting Space WiFi

ARDA Annual Meeting Attendees can connect to WiFi in our designated meeting spaces with the following password:

arda2015

The Changing Face of Business

Monday, July 13

7:00 AM–8:00 AM

Registration and Breakfast

[Platte River Room Foyer](#)

8:00 AM–8:45 AM

Opening Business Session

Elizabeth Steel, AVP—Real Estate & Industrial Development, Kansas City Southern Railway and ARDA President

- ◆ Safety Briefing, Roll Call, Membership Report, Introduction of New Members, President's Report and Announcements

Alan Sisk, Director Technical Services, Norfolk Southern Corporation and ARDA Second Vice President

- ◆ 2016 Annual Meeting and Executive Forum Previews

Gary Rozmus, Senior Environmental Consultant, GEI Consultants and ARDA Secretary-Treasurer

- ◆ Secretary-Treasurer's Report

[Platte River Room](#)

8:45 AM–9:30 AM

Section Introductions and Organizational Meetings

Meetings of the Economic Development, Environmental, Law, Real Estate and Technology Sections

[Platte River Room](#)

9:30 AM–10:45 AM

Conference Session 1—Abandonments Panel

Moderator

Matt Cangioli, Director Real Estate, CSX Real Property, Inc. and Chair of the ARDA Real Estate Section

Panelists

Lou Gitomer, Owner, Law Offices of Louis E. Gitomer
Pete Shudtz, General Counsel & VP of Federal Regulation, CSX Corporation

[Platte River Room](#)

10:00 AM–11:00 AM

Spouse/Guest Coffee and Pastries

[ARDA Hospitality Suite—Blake Room](#)

10:45 AM–11:00 AM

Morning Break in Platte River Room Foyer

2015 ARDA Annual Meeting

Monday, July 13 (Continued)

<u>10:45 AM–11:00 AM</u>	<u>Morning Break in Platte River Room Foyer</u>
<u>11:00 AM–12:00 PM</u>	<u>Conference Session 2—Mineral Rights Panel</u>
Moderator	Matt Cangiolosi , Director Real Estate, CSX Real Property, Inc. and ARDA Real Estate Committee Chair
Panelists	Matt Coffing , Manager Trails & Natural Resources, CSX Real Property, Inc. Dan Leis , General Director Real Estate, Union Pacific Marcy Rothman , Managing Director, Kane Russell Coleman & Logan, P.C. Platte River Room
<u>12:00 PM–1:00 PM</u>	<u>Lunch in Platte River Room</u>
<u>1:00 PM–1:45 PM</u>	<u>Conference Session 3—Offshore Rail Regulatory and Land Use Practices to Watch, Heed and Wonder</u>
Speaker	Jerry Johnson , Owner, JMJ Consulting Platte River Room
<u>1:45 PM–2:45 PM</u>	<u>Conference Session 4—Unmanned Aerial Systems: The Technology, Applications, and Legal Issues</u>
Speakers	Allen Bishop , CEO, Reference Technologies James Mackler , Member, Bone McAllester Norton, PLLC Platte River Room
<u>2:45 PM–3:45 PM</u>	<u>Section Detailed Planning</u> Meetings of the Economic Development, Environmental, Law, Real Estate and Technology Sections Platte River Room
<u>3:45 PM–4:00 PM</u>	<u>Daily Wrap-Up</u> Platte River Room
<u>4:00 PM–4:15 PM</u>	<u>Audit and Nominating Committee Meetings</u>

2015 ARDA Annual Meeting

Monday, July 13 (Continued)

4:00 PM–5:00 PM

Roundtable on Unmanned Aerial Vehicles

Curtis Room

4:00 PM–5:00 PM

Roundtable on Utility Crossing Issues

Platte River Room

6:30 PM–7:30 PM

Networking Reception

Platte River Room Foyer

7:30 PM–11:00 PM

Silent Auction Open in ARDA Hospitality Suite

Blake Room

The Changing Face of Business

Tuesday, July 14

8:00 AM–9:00 AM

Breakfast

[Platte River Room Foyer](#)

9:00 AM–9:30 AM

Final Business Session

Presiding

Elizabeth Steel, AVP—Real Estate & Industrial Development, Kansas City Southern Railway and ARDA President

Alan Sisk, Director Technical Services, Norfolk Southern Corporation and ARDA Second Vice President

- ◆ Safety Briefing, Auditing and Nominating Committee Reports, Section Caucuses Reports, Association Business, Installation of 2015-2016 ARDA Officers, 2016 Annual Meeting and Executive Forum Previews

[Platte River Room](#)

9:30 AM–9:45 AM

Conference Session 5—Legal Updates

Speakers

Pam Nehring, Partner, Daley Mohan Groble and Chair of the ARDA Law Section

Michael Wallenstein, Partner, Pillsbury Winthrop Shaw Pittman LLP and Vice Chair of the ARDA Law Section

[Platte River Room](#)

9:45 PM–10:30PM

Conference Session 6—Storm Water Fees

Moderator

Pam Nehring, Partner, Daley Mohan Groble and Chair of the ARDA Law Section

Panelists

Matt Gernand, Environmental Attorney, Norfolk Southern Corporation

Fred Schesny, Inventory Engineer, Norfolk Southern Corporation

Tim Wippold, Vice President, ARCADIS

[Platte River Room](#)

10:30 AM–10:45 AM

Morning Break in Platte River Room Foyer

2015 ARDA Annual Meeting

Tuesday, July 14 (Continued)

10:45 AM–12:15 PM

Conference Session 7—NEPA Panel

Moderator

Matt Graham, Director Environmental Real Estate,
BNSF Railway and Vice Chair of the ARDA
Environmental Section

Panelists

Amanda Nesmith, Manager for Eastern VA, Maryland
and Delaware, Norfolk Southern Corporation
Phillis Johnson-Ball, Deputy Director, Office of
Environmental Analysis, Surface Transportation Board
Devin Sprinkle, Regional Manager, Environment (US),
CN
Derin Warren, Mgr. Environmental Permitting &
Sustainability, BNSF Railway
[Platte River Room](#)

12:15 PM–1:15 PM

Lunch in Platte River Room

1:15 PM–2:30 PM

Conference Session 8—Colorado Rail/Transit Projects

Speakers

Tim Eklund, Vice President of Logistics and
Transload, OmniTRAX Logistics Services
Aaron Epstein, Executive Director, Denver Transit
Partners
[Platte River Room](#)

2:30 PM–3:15 PM

Conference Session 9—Right-of-Way Surveying with
LiDAR

Moderator

Andy Vollmer, Property Manager, Norfolk Southern
Corporation and Vice Chair of the ARDA Technology
Section

Panelists

Doug Morrison, Director Rail Division, Bartlett & West
Elizabeth Steel, AVP—Real Estate & Industrial
Development, Kansas City Southern Railway and ARDA
President
[Platte River Room](#)

3:15 PM–3:30 PM

Afternoon Break in Platte River Room Foyer

The Changing Face of Business

Tuesday, July 14 (Continued)

<u>3:30PM–4:30 PM</u>	<u>Conference Session 10—Union Pacific Commuter Rail Project in Denver</u>
Moderator	Michael Wallenstein , Partner, Pillsbury Winthrop Shaw Pittman LLP and Vice Chair of the ARDA Law Section
Speakers	Dan Leis , General Director of Real Estate, Union Pacific Shane Orr , Partner, Husch Blackwell Platte River Room
<u>4:30 PM–4:45 PM</u>	<u>Closing Statement in Platte River Room</u>
<u>4:45 PM–6:30 PM</u>	<u>Unscheduled Time</u>
<u>6:30 PM–7:30 PM</u>	<u>President's Reception</u> V's Lounge & Lobby
<u>7:30 PM–9:00 PM</u>	<u>President's Dinner</u> Featuring live music from the <i>11th Hour Band</i> Confluence Ballroom C
<u>7:30 PM–11:00 PM</u>	<u>Silent Auction Open in ARDA Hospitality Suite</u> Auction Ends at 10:30 PM, pick-up later Blake Room

2015 ARDA Annual Meeting

Wednesday, July 15

8:00 AM–11:00 AM

Farewell Continental Breakfast

Lawrence Room (A & B)

8:00 AM–12:00 PM

Silent Auction Pick-up in ARDA Hospitality Suite

Blake Room



Denver Union Station

Speaker Biographies

Allen Bishop

Founder, President and CEO, Reference Technologies

Mr. Bishop is the founder, president, and chief executive officer of Reference Technologies which designs, manufactures and distributes a unique vertical take-off and landing (VTOL) Unmanned Aircraft System (UAS).

Mr. Bishop oversees the operations and strategic direction of the Colorado-based aerospace company and is the chief architect of its Hummingbird® series of UAS.

Mr. Bishop was recently elected to the board of Rocky Mountain UAS which is presently coordinating the establishment of a major UAS test area in Southern Colorado. In 2013 he became a member of the bid response team which was responsible for the submission of the State of Colorado's response to the FAA as a candidate for one of six FAA UAS Test Site locations.

Mr. Bishop currently serves as the President of the Rocky Mountain Chapter of AUVSI and as a board member of UAS Colorado.

Mr. Bishop's military career included serving in the U.S. Air Force with the Space and Missile Systems Organization (SAMSO), Defense Support Program (DSP-647) as well as other space based surveillance systems. He has been a licensed pilot for over 40 years.

Matt Coffing

Manager—Trails and Natural Resources, CSX Real Property

Matt Coffing is a graduate of Florida State University, holding a Bachelor of Science degree in Real Estate and Business Management, with emphasis in Finance. He is currently pursuing his MBA at Florida State University and anticipates graduating in August of 2015. Matt started with CSX in 2011, after beginning his career in construction management and development, as a Sales Associate for CSX Real Property, Inc. He has since held the positions of Manager - Leasing and Asset Development and currently Manager - Trails and Natural Resources. In his current role, Matt is responsible for managing CSX's Rails to Trails Program as well as stewarding CSX's mineral rights portfolio consisting of sand, salt, coal, metals, oil, and gas leases.

Tim Eklund

Vice President—Logistics and Transload, OmniTRAX, Inc.

Tim has over 20 years of experience building and operating successful businesses across the shortline and regional rail space, including businesses in: freight rail transportation, logistics, bulk materials supply, rail car leasing, and investment management. During his career, he has led the start-up or acquisition of several

Speaker Biographies (continued)

shortline railroad operations and a successful rail-focused transload and logistics company.

From January 2012 to December 2014, Tim was the Director of Acquisitions for OmniTRAX, Inc., and in that role, most recently led the Acquisitions, Due Diligence and Integration Teams on the OmniTRAX's acquisition of the Sand Springs Railway near Tulsa, OK, and OmniTRAX's long-term operating concession for the Brownsville and Rio Grande International Railway at the Port of Brownsville in Texas.

In mid-December 2014, Tim took over the management of OmniTRAX Logistics Services, LLC (OLS). OLS provides transloading, warehousing and other value-added services to industrial customers on and adjacent to OmniTRAX's rail operations throughout North America.

Prior to joining OmniTRAX, from 2006 to 2012, Tim ran his own rail transportation consulting and advisory practice, serving a client list including: global infrastructure investors, rail car owners, industrial rail customers, governmental agencies and shortline / regional railroads. He is on the Freight Transportation Advisory Board for New Zealand-based HRL Morrison & Co..

From 2001 to 2006, Tim was VP - Corporate Development at Progressive Rail, Inc., a Midwest shortline railroad and logistics holding company, where he was responsible for strategic growth initiatives. During his tenure at Progressive Rail, revenues increased 6-fold.

Tim is a 1986 graduate of Minnesota State University in Mankato, MN and resides in Denver with his wife Lois.

Aaron Epstein

CEO and Executive Project Director, Denver Transit Partners

Aaron Epstein is CEO and Executive Project Director for Denver Transit Partners, a public-private partnership formed to design, build, finance, operate and maintain 36 miles of new commuter rail transit lines, 66 new commuter rail cars, and a commuter rail maintenance facility for a 35-year term as part of the Regional Transportation District's \$2.2 billion Eagle P3 Project in Denver, Colorado.

Mr. Epstein is also Senior Director of Fluor Corporation, which provides services on a global basis in the fields of engineering, procurement, construction, operations, maintenance and project management. In addition, Mr. Epstein currently serves as CFO for two Fluor managed public-private partnerships, which include GeneSYS Telecommunications in the UK and Infrasppeed in the Netherlands.

Mr. Epstein has 20 years of experience in strategic planning, finance and operations. Aaron is a graduate of Union College with a B.S. in Mathematics and Economics and received an M.B.A. from the Stern School of Business at New York University. He is

Speaker Biographies (continued)

involved in numerous charities, including The First Tee of Denver and A Precious Child, and previously served on the Board of the Urban League of Metropolitan Denver.

Matt Gernand

Norfolk Southern Corporation

Matt Gernand is a lawyer for Norfolk Southern Corporation focusing primarily on environmental law. Prior to joining Norfolk Southern in 2012, Matt practiced at Bingham McHale LLP in Indianapolis from 2006-2012 and was an attorney with the Indiana Department of Environmental Management from 2003-2006. He is a graduate of Indiana University School of Public and Environmental Affairs and the Indiana University School of Law.

Louis Gitomer

Law Offices of Louis E. Gitomer

Louis Gitomer is a practicing attorney, with a concentration in railroad regulatory law and railroad financing since leaving the Interstate Commerce Commission in 1987. While at the ICC, MR. Gitomer wrote the regulations governing railroad abandonments and railroad consolidations; supervised preparation of the intermodal exemption, intramodal rail competition, construction and acquisition, and feeder line rule and participated in development of the coal rate guidelines. Mr. Gitomer was lead attorney for the agency in the abandonment of the Rock Island Railroad, the largest abandonment in the United States and was involved in many rail consolidations, including BN-Frisco, UP-WP-MP, and N&W-Southern, intermodal consolidations, and was lead attorney for the ICC in its review of the Conrail divestiture.

In private practice, Mr. Gitomer has represented and provided guidance to numerous Class I and short line railroads in regulatory matters and transactions including consolidations, acquisitions, sales, abandonments, complaints, and financing. Mr. Gitomer has participated in over 3,000 abandonments representing the regulator or railroad seeking abandonment authority.

Mr. Gitomer is admitted to Maryland Bar and is also admitted to practice before the United States Supreme Court and the Courts of Appeals in the District of Columbia, 2nd Circuit, 5th Circuit, 6th Circuit, 8th Circuit, 9th Circuit, and 11th Circuit. He is the Principal of the Law Offices of Louis E. Gitomer, LLC located in Towson, Md. He received his Juris Doctor from the University of Baltimore.

Speaker Biographies (continued)

Jerome “Jerry” M. Johnson

Owner, JMJ Consulting

Jerry Johnson is a semi- retired railway executive and consultant specializing in the planning and execution of rail corridor sales, leases, abandonments and acquisitions. From 2010 through 2012, he worked with Watco Companies’ to structure their successful bid to operate the 3,000 kilometer Western Australia grain gathering network for Perth’s CBH Group and then led that venture’s Western Australia commercial activities during its 18 month start-up phase. Other recent consulting assignments have included the evaluation of railway projects in Turkey, Brazil and the Bakken Shale region of North Dakota and Saskatchewan.

At BNSF Railway from 1995 through 2008, Jerry led a team that bought, leased or sold over 60 active railroad properties along with their associated track materials, infrastructure assets, rights-of-way and traffic portfolios. Collectively, these transactions covered over 6,000 route miles and individually ranged in value from under \$1 million to over \$30 million. In addition, Jerry and his staff structured and/or managed numerous corridor abandonments and asset liquidations, including the \$100+MM sale/donation of BNSF’s Renton-Snohomish, WA line to the Port of Seattle. From 1998 through 2004, his team was also responsible for the contractual, regulatory and commercial arrangements between BNSF and its 100-plus short line connections

At Burlington Northern Railroad between 1981 and 1995, Jerry worked in strategic planning, coal marketing, industrial carload marketing, equipment planning and joint ventures with connecting railroads. He has also held transportation-related positions at GE Transportation Systems in Erie, PA and SRI International in Menlo Park, CA and served in the US military as a flight test engineer at Edwards AFB, CA.

Jerry is a fourth generation railroad man from the Willmar, MN area. He holds degrees in engineering and business from well-known US universities. He is also an accomplished drummer/percussionist, or so he claims, and is looking for a rock and roll gig.

Phillis Johnson-Ball

Deputy Director, Office of Environmental Analysis, Surface Transportation Board

Phillis Johnson-Ball is the Deputy Director of the Office of Environmental Analysis. Ms. Johnson-Ball assists the Director in administering the Board’s environmental regulations and ensures agency compliance under the National Environmental Policy Act. She has extensive experience in project management and transportation and environmental planning. She has over 25 years of experience in the transportation and environmental industry. Ms. Johnson-Ball has held a variety of environmental and

Speaker Biographies (continued)

transportation related positions at both the Surface Transportation Board and the Department of Transportation. Ms. Johnson-Ball holds a Master's degree in Urban and Regional Planning from Howard University.

Dan Leis

General Director of Real Estate, Union Pacific

Dan Leis is General Director Real Estate - Contracts and Track in the Real Estate Department of Union Pacific Railroad Company. In his role, Leis is primarily responsible for leading a team of managers in all aspects associated with generating revenue and managing property assets in five functional areas system wide: utilities, public projects, mineral rights, special projects and track. Dan has held various positions in the Real Estate Department including Director - Sales, Sr. Manager - Acquisitions, Sr. Manager - Special Properties, and Manager - Real Estate Field Operations.

Dan began his career with Union Pacific Corporation in 1995 on the Corporate Audit Staff. Leis joined Union Pacific Railroad Company in 1997 as a Supervisor of Contract Services in the Supply Department and then joined the Real Estate Department in 1999.

Leis graduated from the University of Wyoming with a Bachelors Degree in Finance in 1992 and a Masters Degree in Finance, with Real Estate emphasis, in 1995.

Dan and his wife Anne have one child, Grace.

James Mackler

Member, Bone McAllester Norton, PLLC

James E. Mackler concentrates his practice in the areas of federal criminal defense, regulatory compliance and civil litigation, where he has 15 years of experience defending and prosecuting criminal cases at the state, federal and military level. He is the founder of the firm's unmanned aerial systems (UAS) focus, the first of its kind in the region. James also leads the firm's veteran and military law efforts, helping former military members transition to the civilian sector and representing soldiers and officers in disciplinary hearings. This includes helping them develop entrepreneurial strategies as well as ensuring that veterans receive the services they need and deserve.

James joined Bonelaw in 2011 after eight years of active duty service in the U.S. Army. After spending seven years developing a successful private legal practice in Colorado, James was inspired by the events of September 11, 2001 to join the military. He spent three years as a Blackhawk helicopter pilot with the 101st Airborne Division, including a one-year deployment to Iraq. After returning from Iraq, James transferred to the

Speaker Biographies (continued)

Judge Advocate General (JAG) Corps, where he served as a legal adviser to high-level commanders and as a supervising criminal prosecutor. As a former Senior Trial Counsel for the 101st Airborne Division at Fort Campbell, Mackler led a team of 12 prosecutors in the investigation and prosecution of cases involving financial fraud, kidnapping, rape and murder. James has tried approximately 40 highly contested court martials and countless administrative hearings. James earned his Parachutist Badge, Combat Action Badge, Air Medal and an Army Achievement Medal during his time in the Army. He also (barely) survived the Army's rigorous Survival Evasion Resistance and Escape (SERE) training. Today, he continues to serve as a defense attorney in the Army Reserves.

Doug Morrison

Vice President—Rail, Bartlett & West

Doug has 20+ years directly involved with the Railroad Industry. His passion has been in the implementation of technology advancements to progress the railroad industry. Such Technology as GIS, PTC, Imagery, Data Management, Mobile solutions, and LiDAR. Through his career he has managed several large teams and projects delivering enterprise solutions into the railroad, mainly in Real Estate and Engineering. Lately, he has been focused on advanced solutions with mobile LiDAR technologies as well as custom sensor uses.

Pamela Nehring

Partner, Daley Mohan Groble

Pam is a seasoned environmental attorney who joined Daley Mohan Groble, P.C. as Partner after 19 years with BNSF Railway Company.

Pam's experience includes environmental remediation claims and litigation with private parties, communities and government agencies, some involving complex sites with multiple contaminants and sources, off-site migration, indoor air, toxic tort, and insurance issues. While at BNSF Railway Company, Pam was lead in-house environmental counsel in the case of Burlington Northern, et al, v. United States, et al, ultimately decided by the United States Supreme Court, which held that joint and several liability for environmental cleanup costs need not attach where apportionment can be demonstrated at trial.

At Daley Mohan Groble, Pam's practice also covers compliance counseling, permitting, auditing and enforcement actions in environmental matters under the Resource Conservation and Recovery Act, Clean Water Act, Clean Air Act, and Superfund as well as hazardous materials transportation and other environmental statutes.

In addition to her regulatory practice, Pam provides transactional counseling in

Speaker Biographies (continued)

property acquisition, disposition and financing, including permitting small and large scale development projects requiring Environmental Impact Statements or other assessments under National Environmental Policy Act.

Amanda Nesmith

Manager for Eastern VA, Maryland and Delaware—Industrial Development, Norfolk Southern Corporation

Amanda is currently responsible for managing the Virginia-Maryland-Delaware Region for Industrial Development projects. Main duties include generating new or increased business for Norfolk Southern by managing development projects from initial customer contact through to delivery of rail cars. Prior to her role in ID, she supported Market Research and Economics through research projects. Amanda has also held Finance roles with a privately held medical device company and a Fortune 500 CPG company. She holds an MBA from Harvard Business school. Prior to business school, Amanda spent eight years flying F/A-18 F Super Hornets and F-14D Tomcats in the US Navy aboard various aircraft carriers after obtaining a BS in Physics from the United States Naval Academy.

Shane Orr

Partner, Husch Blackwell LLP

Shane Orr is a Partner at Husch Blackwell LLP. He has extensive experience in railroad real estate transactions across the country. Shane represents railroads in a variety of state and federally funded public projects, ranging from single at-grade and grade separated construction projects to statewide highway and transit expansion projects. As part of Shane's public project practice, he represents a railroad on a rail corridor reconstruction and sale related to the Regional Transportation District's FasTracks Program, which is a multi-billion dollar comprehensive transit expansion project that will ultimately provide rail service from Downtown Denver to Denver International Airport. Shane's practice also includes representing railroads in connection with their railroad capacity enhancement projects. These projects involve counseling clients on various transactional components, including negotiating the acquisition and disposition of property and many other railroad facility construction matters, such as negotiating and coordinating third-party utility relocations and protections.

Marcy Rothman

Member, Kane Russell Coleman & Logan, PC

Marcy Rothman leads the Railroad Practice at Kane Russell Coleman & Logan, PC. She is also the managing director of the firm's Houston office and a member of the firm's

Speaker Biographies (continued)

board of directors. Ms. Rothman is AV-rated by Martindale Hubbell. She is an experienced trial lawyer and served on the faculty at this year's National Association of Railroad Trial Counsel's College of Trial Advocacy.

KRCL's Railroad Practice serves the industry in a variety of areas including real estate acquisitions and sales, condemnation and adverse possession. The firm provides support for its railroad clients on a wide variety of projects, including but not limited to the acquisition, expansion, and use of right-of-way, the development of rail yards and intermodal facilities, the monetization of other railroad assets, and the development and maintenance of competitive advantage. The firm also handles commercial litigation, derailments and related cost recovery actions, crossing litigation, FELA litigation, trucking litigation, bankruptcy litigation, and other disputes arising from railroad operations.

Peter Shudtz

Vice President of Federal Regulation and General Counsel, CSX Corporation

Peter Shudtz has served as Vice President of Federal Regulation and General Counsel for CSX since 2003. In this capacity, Shudtz is the key liaison between CSX and the relevant regulatory agencies, has served as a principal attorney in many significant transactions, and provides expertise to shape the company's interactions with customers and communities.

A member of the company for 34 years, Shudtz has worked on numerous regulatory matters and transactions, including the Chessie/Seaboard consolidation and the CSX/NS Conrail transaction, rationalization programs and rate proceedings. He currently serves on the ConRail and NYSW boards of directors and is a member of the DC Bar and various social and charitable organizations, including Boy Scouts of America.

A native of Staten Island, N.Y., he holds a Juris Doctorate from Georgetown University Law Center in Washington, D.C. and a Masters of Business Administration from Case Western Reserve University in Cleveland, Ohio.

Devin Sprinkle

Regional Manager, Environment (US), CN

Devin Sprinkle has been Regional Manager, Environment (US) for Canadian National since 1997. In this position, he manages all aspects of environmental compliance, assessment, remediation and incident emergency response for CN's U.S. operations. Prior to that, he was a Senior Project Scientist for EnecoTech, Inc.

Speaker Biographies (continued)

Elizabeth “Beth” Steel

AVP—Real Estate & Industrial Development, Kansas City Southern Railway

Beth has been a member of ARDA since 1999, serving on the Executive Committee in various capacities since 2004 and is this year's President. She has spent the last twenty-four years managing Real Estate aspects of the rail industry:

She began her railroad career with RailTex in San Antonio, Texas, from 1991 to 1998. She moved on to General Manager - Real Estate with OmniTrax in Denver, Colorado in October of 1998 to March of 2005. From Denver, she progressed to RailAmerica in Boca Raton, Florida as the Director of Real Property Management before relocating to CSX in Jacksonville, Florida the summer of 2007. She held positions within CSX's Properties Group from 2007 to May of 2014, until she returned to her family and hometown of Kansas City to assume the position of Real Estate Director for The Kansas City Southern Railway. She most recently has been promoted to AVP - Real Estate & Industrial Development, heading up that business unit for KCS.

Michael Wallenstein

Partner, Pillsbury Winthrop Shaw Pittman, LLP

Michael Wallenstein is a Partner at Pillsbury Winthrop Shaw Pittman, LLP, having recently moved there from his former firm McKenna Long & Aldridge, LLP. He has been representing railroads in real estate litigation and condemnation matters throughout his career, as well as entities involved in management of railroad real estate. He has been intimately involved in the development of the Across the Fence appraisal methodology from the legal perspective, having litigated corridor valuation issues in several venues. He is co-lead counsel in litigation involving the valuation of 1850 miles of pipeline easements on railroad rights of way across the Western United States, a matter which concluded a more than 4-year trial in 2012 and is now in on remand to the trial court to resolve an additional issue raised by the California Court of Appeal. He is well versed in the complex issues that arise from railroad title, both from the legal perspective and the factual perspective. He has been instrumental in helping to bridge and resolve long-standing disputes between the railroad and the public transportation agencies, often paving the way to shorter and more productive negotiations on complex railroad/highway transactions.

Over his career, Michael has also represented cities, counties and other public entities in a wide variety of matters from housing discrimination, to property tax allocation, to

Speaker Biographies (continued)

First Amendment free speech and Fourth Amendment civil rights matters. He also represents individuals and businesses in commercial and business litigation. He is Vice Chair of the ARDA Law Committee and one of its founding members.

Derin Warren

Mgr. Environmental Permitting & Sustainability, BNSF Railway

Derin joined BNSF in 2013 as Manager of Environmental Permitting and Sustainability, dedicated to the railway's growing NEPA permitting program. He came to BNSF from Direct Energy where he was Environmental Compliance Manager, and later Manager of Climate Change Strategy. Prior to compliance and permitting in the power generation industry, he spent 5 years with the North Central Texas Council of Governments managing initiatives in air quality and water quality, specializing in municipal and inter-agency cooperatives and permitting. Derin also has 9 years environmental program experience in oil and gas exploration and production, and 5 years managing water quality programs at Dallas Fort Worth International Airport.

Tim Wippold

Vice President, ARCADIS

Tim Wippold is a professional engineer at Arcadis with a Bachelor's and Master's degree from Rice University in Houston, Texas. Tim has been providing environmental engineering services to the railroad industry for over 30 years. Recently, he has been involved in a number of drainage fee projects for both UPRR and BNSF.

2015 ARDA Officers



Pictured from left: Gary Rozmus, Alan Sisk, David Drach, Beth Steel, Stephanie Johnson

BETH STEEL

President

AVP—Real Estate &
Industrial Development,
Kansas City Southern

STEPHANIE JOHNSON

First Vice President

Director—Carload Sales,
Florida East Coast
Railway

ALAN SISK

Second Vice President

Director—Technical
Services, Norfolk
Southern

GARY ROZMUS

Secretary-Treasurer

Senior Environmental
Consultant, GEI
Consultants

MARK HOLDER

Secretary-Treasurer

Nominee

Director—Property
Management, CSX
Transportation

DAVID DRACH

Past President

Director, Real Estate—
U.S., Canadian Pacific

2015 ARDA Committee Leadership

Economic Development	Environmental
<p>ALANNA STROHECKER <i>Chair</i> Project Manager, AECOM</p>	<p>SCOTT KEATING <i>Chair</i> Vice President, GEI Consultants</p>
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