

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

NATIONAL RAILROAD)
 PASSENGER CORP. and)
 BNSF RAILWAY COMPANY,)
)
 Plaintiff,)
)
 and)
)
 EVERETT OWEN, et al,)
)
 Intervenor-Plaintiffs,)
)
 v.)
)
 CIMARRON CROSSING FEEDERS, LLC.,)
)
 Defendant.)
)
 and)
)
 NATIONAL RAILROAD PASSENGER)
 CORP. d/b/a AMTRAK; and BNSF)
 RAILWAY COMPANY,)
)
 Defendants and Intervenor-Defendants.)

Case No. 6:16-CV-01094-JTM-TJJ

ORDER GRANTING LEAVE TO FILE EXHIBIT CONVENTIONALLY

Plaintiffs have filed a Motion to File Exhibit Conventionally (ECF No. 253). Plaintiffs seek leave to conventionally file an audio recording they describe as a “Dispatcher Recording,” and identified as Exhibit I to Plaintiffs’ Reply to Intervenor-Plaintiffs’ Response to Plaintiffs’ Motion for Protective Order Regarding Third Notices of Video Deposition Duces Tecum of Corporate Designee(s). Plaintiffs seek leave to file the “Dispatch Recording” conventionally because it is a tangible digital audio file that cannot be uploaded to the Court’s CM/ECF system and therefore filed electronically on the docket. They request leave to conventionally file the

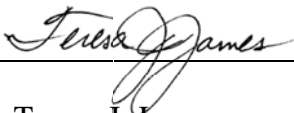
audio recording by mailing it on a thumb drive to the Court Clerk's Office at the U.S. District Courthouse located in Wichita, Kansas.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to File Exhibit Conventionally (ECF No. 253) is granted. Plaintiffs are specifically permitted to conventionally file (outside the Court's CM/ECF system) the "Dispatcher Recording," audio recording file identified as Exhibit I to Plaintiffs' Reply to Intervenor-Plaintiffs' Response to Plaintiffs' Motion for Protective Order Regarding Third Notices of Video Deposition Duces Tecum of Corporate Designee(s) (ECF No. 252).

IT IS FURTHER ORDERED THAT pursuant to D. Kan. Rule 7.1(d)(2), Plaintiffs shall submit an original and one copy of the thumb drive containing the audio file, along with a copy of this Order, to the Clerk's Office for conventional filing.

IT IS SO ORDERED.

Signed this 31st day of October, 2017 in Kansas City, Kansas.



Teresa J. James
U. S. Magistrate Judge