

Exhibit No. _____ (FP-2)

EXHIBIT 1



FULL SERVICE RAILROAD CONSULTING, INC.

Curriculum Vitae of Foster J. Peterson

PROFESSIONAL EXPERIENCE – RAILROAD CONSULTING

2002 – Present Full Service Railroad Consulting, Inc. Tucker, GA

Partner

Provide clients with timely and accurate analysis of railroad operational issues. Provide training in railroad safety, rules, and operating practices. Conduct operational and safety audits. Provide services as a consulting and/or testifying expert in railroad mechanical, operating, and engineering disciplines. Provide railroad technical and engineering consulting support from accident/incident response through case analysis and report preparation including consulting and/or testifying expert witness services if requested. Utilize vehicle and train dynamics simulation models in derailments and accident investigation and analysis. Design and perform field testing of rail vehicles.

1995 –2001 Rail Sciences Inc. Atlanta, GA

Senior Director Testing and Engineering Applications 2000-2001

Director Testing and Engineering Applications 1999-2000

Engineer 1995-1999

Responsible for the use and application of advanced analytical techniques for the solution of railway operational problems. Perform accident and derailment investigations, railroad operational and safety studies, vehicle dynamic studies, mechanical inspections, physical testing, and railroad training. Perform field investigation of derailments including gathering track measurements, digital wheel and rail profiles, mechanical data, and event recorder data. Experience with simulation tools such as the AAR's Train Operations Simulator, (TOS), Train Operations and Energy Simulator (TOES), and New and Untried Car Analytic Regime Simulation (NUCARS). As Director and Senior Director, responsible for Rail Sciences' testing and instrumentation work, including field testing of lateral/vertical wheelset forces, over-the-road testing, mechanical testing, and design and fabrication of test fixtures.

PROFESSIONAL EXPERIENCE – RAILROAD

2005 – Present Hiwassee River Railroad Co. Copperhill, TN

Chief Operating Officer

Supervisor of Locomotive Engineers

Set up and run rail operations at the Hiwassee River Railroad, a 43.5-mile shortline railroad in eastern Tennessee and a subsidiary of Tennessee Valley Railroad. Initial freight operations consist of yard switching and road train operation of 75-car unit trains of iron ore. Passenger operations scheduled to commence in 2006. Responsible for training of all operating personnel including certification of locomotive engineers and mechanical training

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FULL SERVICE RAILROAD CONSULTING, INC.

(power brake law and freight car inspection). Certified locomotive engineer and Designated Supervisor of Locomotive Engineers. Act as liaison to Federal Railroad Administration and CSX Transportation (interchange carrier).

1995 – Present Tennessee Valley Railroad Chattanooga, TN

Manager, Training, Rules & Safety

Supervisor of Locomotive Engineers

Locomotive Engineer

Organize and run Training, Rules & Safety Department at TVRM. Responsible for preparing and presenting training classes to mechanical and operating personnel (rules classes, mechanical and operational training classes). Chairman of Training, Rules & Safety committee that includes railroad president, vice-president, general shop foreman, road foremen of engines, and operations coordinator. Certified Locomotive Engineer (1990 to present) and Designated Supervisor of Locomotive Engineers (1995-2000, 2002-Present).

1993 – 1995 New Georgia Railroad Atlanta, GA

Locomotive Engineer, Machinist

Qualified locomotive engineer. Operated on CSX trackage rights in Georgia as well as mainline operation on CSX and Norfolk Southern. Installed machine shop at Pullman Yard in Atlanta, and responsible for machining and welding repairs to cars and locomotives. Designed and built machines and fixtures for car and locomotive repair. Also responsible for mechanical support for cars in leasing program.

1986 – 1993 Tennessee Valley Railroad Chattanooga, TN

Locomotive Engineer 1990-1993

Qualified locomotive engineer on TVRM and Norfolk Southern trackage rights in Tennessee. Also operated on mainline NS trackage. Engineer qualification and later certification continuous to present day. Responsible for maintenance and servicing of locomotives and cars. Apprentice machinist study.

Railroad Operations 1986-1990

Brakeman/Fireman in train service. Also learned maintenance practices for cars and locomotives.

EDUCATION

1990-1995 Georgia Institute of Technology Atlanta, GA

- Bachelor's Degree in Mechanical Engineering.
- Participated in cooperative education program

SUPPLEMENTARY EDUCATION

July 2002 Quantum Engineering, Inc. Orange Park, FL

- Training class on event recorder data analysis and operation of QDP Software

FULL SERVICE RAILROAD CONSULTING, INC.

PROFESSIONAL ACTIVITIES

- 2002 - Present Member, American Railway Engineering and Maintenance of Way Association
- 2002 - Present Member, American Association of Railroad Superintendents
- 2002 - Present Member, Georgia Operation Lifesaver
- 1995 - Present Member, Air Brake Association
- 1995 - Present Member, International Association of Railway Operating Officers
Executive Committee 2005-Present
Regional Consultant 1997-2005
- 1994 - Present Member, American Society of Mechanical Engineers
(Associate Member 1994-2000)

PUBLICATIONS AND PRESENTATIONS

- “The Current State of Locomotive Event Recorders” – 13th Annual Railroad Liability Seminar, Denver, Colorado, July, 2006
- “The Current State of Locomotive Event Recorders” – Midwest Claims Conference, Naperville, IL, May 2006
- “(Almost) Everything You Need to Know About Locomotive Event Recorders: These Are Not Your Father’s 8 Tracks...” – National Association of Railroad Trial Counsel Winter Meeting, Naples, Florida, February, 2006
- “(Almost) Everything You Need to Know About Locomotive Event Recorders: These Are Not Your Father’s 8 Tracks...” – National Association of Railroad Trial Counsel Special Litigation Conference XVI, Park City, Utah, February, 2006
- “Advances in the Locomotive Event Recorder Download Process: Class 1 vs. Shortline/Regional Perspective” - International Association of Railway Operating Officers, Chicago, Illinois, September 2005
- “Risk Management: A Team Approach,” Twelfth Annual ASLRRRA Liability/Claims Seminar, July, 2005
- “Car and Locomotive Brakes 101: Involvement of Brakes in Railroad Accidents/Incidents and Subsequent Litigation,” Eleventh Annual ASLRRRA Liability/Claims Seminar, July, 2004
- “Modern Railroad Locomotive Technology,” Guest Lecturer at University of Minnesota Class AFEE & BIE3121, Communication, Power, Energy, Transportation and Machinery Technologies, March 2004

FULL SERVICE RAILROAD CONSULTING, INC.

- “Defending Against Claims of Careless Train Operation”, 49th Annual Meeting, National Association of Railroad Trial Counsel , July, 2003 (Co-authored with B.P. Heikkila)
- “On-Train Railroad Employee Injuries: Causation, Investigation, Analysis and Technical Defense”, Tenth Annual Regional Railroad Liability Seminar, July, 2003
- “The Manifest” Bulletin of the International Association of Railway Operating Officers, Editor, June 2003, September 2004, April 2006
- “Investigating Derailments: Maintenance of Way and Track Integrity Considerations”, 9th Annual Railroad Liability Seminar, Indianapolis, Indiana, June, 2002
- “Causes, Analysis, and Prevention of Empty Tank Car Derailments”, International Association of Railway Operating Officers, Chicago, Illinois, September 2000 (Co-authored with G.P. Wolf)
- “The Use of Event Recorder Data in Reconstructing Railway Accidents”, Regional Railroad Liability Seminar, Nashville, Tennessee, July 2000 (Co-authored with G.P. Wolf)
- “An Integrated Approach to a Comprehensive Wheel/Rail Management System”, Advanced Rail Management Rail/Wheel Interface Infozone Sessions, Chicago, Illinois, May 2000 (Co-authored with G.P. Wolf)
- “Dynamic Response of High Speed Rail Vehicles over Perturbed Track”, Advanced Rail Management Rail/Wheel Interface Seminar, Chicago, Illinois, May 2000 (Co-authored with G.P. Wolf, RSI, and Jon Jeambey, TTX)
- “Deployment of AC Power: Effect on Train Operations and Track Structure”, International Association of Railway Operating Officers, Chicago, Illinois, September 1999 (Co-authored with G.P. Wolf)
- “The Relationship Among Operating Procedures, Track Geometry, Rail Profile, and Rail Wear Rates”, Advanced Rail Management Rail/Wheel Interface Seminar, Chicago, Illinois, May 1998 (Co-authored with G.S. Bachinsky and G.P. Wolf)
- “Optimizing Curve Superelevation to Reduce Rail Wear, Maintenance, and Derailment Potential”, Advanced Rail Management Rail/Wheel Interface Seminar, Chicago, Illinois, May 1998
- “Application and Validation of the Automated Truck Performance Measurement System”, American Society of Mechanical Engineers/Institute of Electrical and Electronic Engineers Joint Railroad Conference, Philadelphia, Pennsylvania, April 1998 (Co-authored with G.P. Wolf)

FULL SERVICE RAILROAD CONSULTING, INC.

- “Automated Truck Performance Measurement System”, International Association of Railway Operating Officers, Chicago, Illinois, September 1997 (Co-authored with G.P. Wolf)
- “Optimizing LOCOTROL Train Performance”, GE-Harris LOCOTROL Distributed Power Seminar, Melbourne, Florida, February 1997 (Co-authored with G.P. Wolf)



FULL SERVICE RAILROAD CONSULTING, INC.

August 2007

Trial Testimony

- Feaster v. CSX Transportation, Inc., Civil Action No. 10,913-CV in the Circuit Court for the District of Tennessee in the 12th Judicial District, Franklin County, 11/02
- Torres vs. Union Pacific Railroad Company and Rodney S. Wilson, Cause No. 2003CI08222 in the District Court of Bexar County, TX, 7/04
- The Burlington Northern Santa Fe Railway Company vs. ABC-NACO, TTX Company and Norfolk Southern Railway, No. 02 L 8180 in the Circuit Court of Cook County, Illinois, County Department, Law Division, 1/06
- Antonio Arellano v. Burlington Northern and Santa Fe Railway Company, a Foreign Corporation, and Harsco Track Technologies, a Division of Harsco Corporation, a Foreign Corporation, Case No. 2004 CV 9754 in the District Court for the City and County of Denver, 3/06
- Andrew H. Blackburn vs. CSX Transportation, Inc., No. 03C1016 in the Circuit Court for Davidson County, Tennessee at Nashville, 3/06
- Javorsky, Administrator, Etc., vs. National Railroad Passenger Corp., et al., Case No. 04-CV-0401 in the Wayne County, Ohio Common Pleas Court, 5/06
- National Railroad Passenger Corporation vs. Hopson Brothers Grain Company, Inc. vs. BNSF Railway Company, Civil Action No. W05CA012 in the United States District Court for the Western District of Texas, Waco Division, 6/06
- Gary Pierce vs. Chicago Rail Link, LLC, CSX Transportation, Inc., CSX Intermodal, Inc. and CSX Intermodal Terminals, Inc. No. 03 C 7524 in the United States District Court, Northern District of Illinois, Eastern Division, 7/06
- Olaniyan vs. CSX Transportation, et al., No: 04-CV-5827 in the United States District Court for the Northern District of Illinois, Eastern Division, 7/06
- Ave Clark vs. Long Island Railroad, New York and Atlantic Railway, et al., Ind. No. 2565-05 in the Supreme Court, State of New York, County of Queens: Civil Term, Part 10, 10/06
- Reginald Booker vs. CSX Transportation, Inc., Case No. 1:04-cv-646 in the United States District Court for the Western District of Michigan, 1/07
- Veit vs. BNSF Railway, No. 03-2-02056-3 in the Superior Court for the State of Washington in and for Whatcom County, 3/07
- Brooks vs. Illinois Central Railroad Company, et al., Case No. 02 L 12721 in the Circuit Court of Cook County, Illinois, County Department – Law Division, 5/07
- Shannon Thornton and Michael Rudisail vs. CSX Transportation, Inc., et al., Civil Action File No.: 02-V-99 in the United States District Court for the Southern District of Georgia, Waycross, Georgia, 7/07

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Deposition Testimony

- Maxson vs. WATCO: Style Unknown, 12/97
- Brown vs. Port Terminal Railroad Assoc.: No. 55,896 in the District Court of Liberty County, TX, 5/99
- McNew vs. Port Terminal Railroad Assoc.: No.98-05-01728 in the District Court of Montgomery County, Texas, 5/99
- Wilkerson vs. Port Terminal Railroad Assoc.: No. 98-21259 in the District Court of Harris County, TX, 5/99
- Craig vs. Union Pacific: Style unknown, 11/99
- Beyerle vs. I&M Rail Link: Case No. 399-CV-10079, US District Court, Southern District of Illinois, 3/00
- Korpi vs. Railroad Friction Products
- Twohig vs. Railroad Friction Products: Civil Action File No. 98-1684 and 98-1683, US District Court for the District of Minnesota, Fifth Division, 4/00
- SIRC vs. BASF: Civil Action File No. 97-L-319, Third Judicial Circuit, Madison County, Illinois, 10/00
- New England Central Railroad vs. M.G. Metal and Commodity Corp.: Docket S 50-00Fc, State of Vermont, Franklin Superior Court, 4/01
- Feaster v. CSX Transportation, Inc., Civil Action No. 10,913-CV in the Circuit Court for the District of Tennessee in the 12th Judicial District, Franklin County, 10/02
- Leingang vs. Burlington Northern Santa Fe Railway Company, No. 348-180898-99 in the District Court of Tarrant County, Texas, 348th Judicial District, 11/02
- Williams v. James Gardner and CSXT, Civil Action No. I014613G in the State Court of Chatham County, Georgia, 3/03
- Joseph R. and Debra Miciotto v. Michael F. Brown, et al., USDC, E.D. La. No. 02-1486 "A", 7/03
- Emmie Hight vs. CSX Transportation, Inc., Civil Action File No. 01-A-83376-5 in the Superior Court of DeKalb, County, Georgia, 8/03
- John Huey v. Norfolk Southern, et al., Civil District Court, Parish of Orleans, State of Louisiana, No. 97-5047, 10/03
- Larry Hill v. The Burlington Northern and Santa Fe Railway Company, et al., Consolidated Case No. 4:03CV3195 in the United States District Court for the District of Nebraska, 12/03
- Union Pacific Railroad Company vs. Inchcape Shipping Service, Inc., et al., Cause No. 4:02CV01695 CEJ in the United States District Court for the Eastern District of Missouri, Eastern Division, 12/03
- Charles Dale Green vs. De Queen and Eastern Railroad, et al., Cause No. CIV 2001-18 in the Circuit Court of Howard County, Arkansas, 1/04
- Torres vs. Union Pacific Railroad Company and Rodney S. Wilson, Cause No. 2003CI08222 in the District Court of Bexar County, TX, 4/04
- Jerome J. Smith v. Burlington Northern and Santa Fe Railway Company, Case No. 04CV2289 in the District Court, City and County of Denver, State of Colorado, 11/04

FULL SERVICE RAILROAD CONSULTING, INC.

- NYK Line and NYK Line (North America) Inc. vs. The Burlington Northern and Santa Fe Railway Company, No. CV 03-6523 GAF in the United States District Court, Central District of California, 1/05
- Gary Pierce vs. Chicago Rail Link, LLC, CSX Transportation, Inc., CSX Intermodal, Inc. and CSX Intermodal Terminals, Inc. No. 03 C 7524 in the United States District Court, Northern District of Illinois, Eastern Division, 3/05
- Allen L. Hill vs. The Burlington Northern and Santa Fe Railway Company, Cause No. 236-199918-03 in the District Court of Tarrant County, Texas, 236th Judicial Court, 5/05
- Daniel B. Chapp vs. The Burlington Northern Santa Fe Railway Company, Case No. 4:04-CV-3021 in the United States District Court for the District of Nebraska, 5/05
- Rodney Frazier and O.C. Moore vs. East Coast Live Stock Express, Inc. and the Kansas City Southern Railway Company, Cause No. 2-04CV-263 in the United States District Court for the Eastern District of Texas, Marshall Division, 6/05
- Kathryn L. Kornblum vs. CSX Transportation, Inc., Case No. 3:03-CV-57RLY-WGH in the United States District Court, Southern District of Indiana, Evansville Division, 7/05
- Illinois Central Railroad Company vs. JP Trucking, et al, Civil Action No. 04-0432 c/w 04-2582 in the United States District Court, Eastern District of Louisiana, 8/05
- The Burlington Northern Santa Fe Railway Company vs. ABC-NACO, TTX Company and Norfolk Southern Railway, No. 02 L 8180 in the Circuit Court of Cook County, Illinois, County Department, Law Division, 9/05
- Southern California Regional Rail Authority v. Wysocki, Vivendi Universal, et al., Case No. EC 036018 (Lead Case) in the Superior Court of the State of California, County of Los Angeles, 10/05 (Produced as Person Most Knowledgeable regarding various matters)
- Boyd vs. Georgia Central Railway, Civil Action No. 2004-0398-S in the Circuit Court of Laurens County, State of Georgia, 11/05
- CSX Transportation, Inc. vs. Exxon/Mobil Oil Corporation, et al., Case No. 3:04CV7308 in the United States District Court for the Northern District of Ohio, Western Division, 11/05
- Javorsky, Administrator, Etc., vs. National Railroad Passenger Corp., et. al., Case No. 04-CV-0401 in the Wayne County, Ohio Common Pleas Court, 12/05
- Antonio Arellano v. Burlington Northern and Santa Fe Railway Company, a Foreign Corporation, and Harsco Track Technologies, a Division of Harsco Corporation, a Foreign Corporation, Case No. 2004 CV 9754 in the District Court for the City and County of Denver, 12/05
- Reginald Booker vs. CSX Transportation, Inc., Case No. 1:04-cv-646 in the United States District Court for the Western District of Michigan, 12/05
- Danny Tolliver vs. Burlington Northern Santa Fe Railway Company; Kansas City Southern Railway Company, et al., No. 342-207821-04 on the District Court of Tarrant County, Texas, 342nd Judicial District, 1/06
- The Burlington Northern Santa Fe Railway Company vs. ABC-NACO, TTX Company and Norfolk Southern Railway, No. 02 L 8180 in the Circuit Court of Cook County, Illinois, County Department, Law Division, Supplemental Deposition 1/06

- Andrew H. Blackburn vs. CSX Transportation, Inc., No. 03C1016 in the Circuit Court for Davidson County, Tennessee at Nashville, 2/06
- Christopher Martin vs. The BNSF Railway Company, et al., No. 236-203507-03 in the District Court of Tarrant County, Texas, 236th Judicial District, 3/06
- Union Pacific Railroad Company vs. NACME Steel Processing, et al., No. 03 CH 13971 in the Circuit Court of Cook County, Illinois, 3/06
- Anthony Schirmer vs. I&M Rail Link, LLC, et al., Law No. LACV47640 in the Iowa District Court for Linn County, 4/06
- Joseph R. and Debra Miciotto v. Michael F. Brown, et al., USDC, E.D. La. No. 02-1486 “A”, Trial Deposition, 6/06
- Stamper vs. Illinois Central Railroad Company, et al., No. 02 LK 158 in the Circuit Court for the 16th Judicial District, Jane County, Illinois, 6/06
- Brooks vs. Illinois Central Railroad Company, et al., Case No. 02 L 12721 in the Circuit Court of Cook County, Illinois, County Department – Law Division, 2/07
- Veit vs. BNSF Railway, No. 03-2-02056-3 in the Superior Court for the State of Washington in and for Whatcom County, 2/07
- L.C. Joiner vs. Amtrak et al., No. 3:06CV58-HTW-C in the United States District Court for the Southern District of Mississippi, Jackson Division, 3/07
- Cezar vs. BNSF Railway, et al., Cause No. B-0176429 in the District Court of Jefferson County, Texas, 60th Judicial District, 5/07
- Rodney Shelton vs. Burlington Northern Santa Fe Railway Co., No. 04 L 011902 in the Circuit Court of Cook County, Illinois, County Department – Law Division, 6/07
- Bunkley vs. CSX Transportation, Inc., et al., Civil Action File No. 06A46436-2 in the State Court of DeKalb County, State of Georgia, 7/07
- Melton vs. BNSF Railway Company, Circuit Court No. CT-05244-06, Division VIII, in the Circuit Court of Tennessee For the Thirteenth Judicial Circuit in Shelby County, at Memphis, 8/07
- Jaime Botello vs. Illinois Central Railroad Company, et al., No. 05 L 000602 in the Circuit Court of DuPage County, Illinois, 18th Judicial Circuit, 8/07
- Leone vs. CSX Transportation, Inc., Civil No: 06-CV-389 in the United States District Court, Northern District of New York, 8/07
- Severiano Garcia, as Personal Representative For the Purpose of Bringing this Wrongful Death Action Arising from the Deaths of Francisco Holguin and Rosa Garcia de Holguin vs. Burlington Northern and Santa Fe Railway Company, et al. No. CV-2005-1728 in the Third Judicial District Court, County of Dona Ana, State of New Mexico, 8/07