

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN,
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**PLAINTIFFS' RESPONSE TO DEFENDANT BUSCO, INC. AND BLACK HILLS
STAGE LINES' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFFS' SECOND
CLAIM FOR RELIEF**

Plaintiffs, Colorado Cross-Disability Coalition, Julie Reiskin, Loraine A. Johnson,
Barbara Moczygemba, and Eileen Hope Krause, by and through their attorneys, Kevin W.
Williams and Carrie Ann Lucas of the Colorado Cross-Disability Coalition, and Fox &
Robertson, P.C., hereby submit their Response to Busco, Inc.'s ("Busco") and Black Hills Stage
Lines, Inc.'s ("Black Hills") motion for summary judgment.

Defendants contend that Plaintiffs' Rehabilitation Act claim should be dismissed because

Black Hills does not receive federal financial assistance and is not covered by the Rehabilitation Act, and because there is no allegation that Busco has violated the Act.

Defendant's argument should be rejected:

- Plaintiffs originally brought suit against Busco, but amended their complaint to add Black Hills based on Defendant's representation that it was the proper defendant. Plaintiffs did not dismiss Busco, and recent discovery demonstrates that employees of Defendant Busco -- which indisputably receives federal financial assistance and is thus covered by the Rehabilitation Act -- are responsible for alleged violations of the Rehabilitation Act.
- In any event, Black Hills -- which is Busco's "sister" company, uses its employees, leases its buses and shares its officers and directors -- is so interlinked with Busco as to share liability for discriminatory conduct under several theories.

In the alternative, if Defendants' motion is not denied for the reasons set forth above, Plaintiffs respectfully request pursuant to Rule 56(f) an opportunity to conduct additional discovery before responding to Defendants' motion.

BACKGROUND

This lawsuit involves claims by Colorado Cross-Disability Coalition ("CCDC"), a disability civil rights advocacy organization, and four individual CCDC members who all require the use of wheelchairs for mobility, that each of the named Defendants discriminated against the Plaintiffs on the basis of disability.

I. Allegedly Discriminatory Conduct By Busco and Black Hills.

Plaintiff Eileen Hope Krause uses a wheelchair for mobility. First Supplemental and Second Amended Complaint (“Complaint”) at ¶ 9 (filed Apr. 11, 2008 [Doc. # 75]). In June 2007, she called the Defendants’ telephone number forty-eight hours in advance to request a lift-equipped bus for a trip she planned to take from Fort Morgan to Denver. *Id.* at ¶ 40. She spoke with Connie, who assured that there would be a bus with a lift for both legs of the trip. *Id.*

When she arrived at the bus station, however, the bus did not have a lift. *Id.* The driver, Paul, was quite rude, and told her he had not received notice of the need for a lift-equipped bus. It took several hours before Ms. Krause finally was provided with a lift-equipped bus. *Id.*

On February 23, 2008, Ms. Krause again called Defendants to request a lift-equipped bus for a February 26 trip, but the office was closed and she was unable to make a request. *Id.* at ¶ 41. Two days later she was able reach someone and requested a lift-equipped bus. *Id.*

Once again, when she arrived at the bus station, the driver was Paul. *Id.* Paul, who was discourteous, told her that he had not received notice of the need for a lift-equipped bus, and told her that it was her responsibility to request a lift-equipped bus. *Id.* Fortuitously, the bus had a lift. *Id.* On neither trip did Ms. Krause receive confirmation of her request for an accessible bus. *Id.* at ¶¶ 40-41.

Plaintiffs allege that Defendants have violated regulations requiring them to: schedule and provide an accessible bus upon forty-eight hours notice; provide equal services required by law; provide notification that an accessible bus was reserved; to provide a system for ensuring notification of the need for accessible buses are reserved; and failed to adequately train their

employees. *See* Complaint ¶¶ 9, 13-14, 40-41, 57-64, 69-72.

II. Identifying The Proper Defendant.

Busco does business as Arrow Stage Lines. *See* Busco Answer to Amended Complaint (“Busco Answer”) (filed Nov. 11, 2007 [Doc. # 53]) ¶ 17. The buses that Ms. Krause encountered had “Arrow Stage Lines” printed on their side, the telephone line to make reservations for the Omaha to Denver route was answered “Arrow Stage Lines,” and Busco is registered to do business in Colorado but Black Hills is not. *See* Declaration of Kevin W. Williams (“Williams Decl.”) ¶¶ 3, 4 & Exhs. A-C.

Based on these facts, Plaintiffs named Busco as a Defendant in this case. *See* Amended Complaint (filed Aug. 31, 2007 [Doc. # 29]). Defendant Busco answered the amended complaint denying liability but admitting that Busco was involved in the incidents for which Plaintiff Eileen Hope Krause had complaints. *See* Busco Answer ¶¶ 66-69. Busco also identified its employees as individuals who would likely have discoverable information about facts relevant to this case. Williams Decl ¶ 5-6 & Exhs. D & E. Busco initially denied receiving federal financial assistance. Busco Answer ¶ 22. On March 5, 2008, however, it admitted receiving such assistance. Williams Decl. ¶¶ 7-8 & Exh. F. That same day, it represented that Black Hills -- which it contends does not receive such assistance, forming the basis for its current motion -- was the proper defendant. *Id.* ¶ 9 & Exh. G. Based on that representation, Plaintiffs joined Black Hills as a Defendant. *See* First Supplemental and Second Amended Complaint (accepted for filing Apr. 11, 2008 [Doc. # 75]).

III. Plaintiffs’ Discovery Concerning Busco and Black Hills.

On March 10, 2008, plaintiffs served discovery requests on Busco and on April, 11, 2008, on Black Hills. Williams Decl. ¶¶ 11 & 12 & Exhs. J & K. Both defendants responded on May 8, 2008. *Id.* ¶¶ 13 & 14 & Exhs. L & M. In their discovery requests, plaintiffs specifically asked interrogatories and requested documents targeted at sorting out the relationship between Busco and Black Hills. *Id.* ¶¶ 11 & 12. Because of deficiencies in those responses, the undersigned sent a letter to counsel for Busco and Black Hills requesting documentation of the relationship between Busco and Black Hills. *Id.* ¶ 15 & Exh. P. Busco and Black Hills supplemented their responses on May 20, 2008, but still have not provided sufficient information for plaintiffs' counsel to determine the scope of the entities' relationship. *Id.* ¶¶ 16-18 & Exhs. Q-T. Before moving to compel these documents, Plaintiffs seek to take Rule 30(b)(6) depositions of the Defendants, and the parties are currently working on scheduling these depositions. *Id.* ¶ 19 & Exhs. U-X. The undersigned sent additional discovery requests on May 27, 2008. *Id.* ¶ 20 & Exh. W. The undersigned also sent counsel for Defendants a letter on March 27, 2008, requesting they provide complete responses to Plaintiffs' previous discovery requests. *Id.* ¶ 21 & Exh. Z.

The discovery that Plaintiffs have obtained to date reveals the following:

- Black Hills has no employees. The person who took Ms. Krause's request for a lift-equipped bus, and the bus driver (Paul), are both Busco employees. *Id.* ¶¶ 6 & 17 & Exhs. E & R.
- Busco provides buses to Black Hills for use on Black Hills' fixed route service and has eight accessible buses available for Black Hills' use. *Id.* ¶ 13 & Exh. L.

- Black Hills owns the land beneath the building owned by Busco for its Omaha, Nebraska operations. *Id.*
- The same individuals are officers and directors of both corporations and members of the Busskohl family. *Id.* ¶¶ 9 & 10 & Exhs. G, H & I.

ARGUMENT

I. Standard of Review

Summary judgment is appropriate only “if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.” Fed. R. Civ. P. 56(c); *see also Celotex Corp. v. Catrett*, 477 U.S. 317, 322-23 (1986). In reviewing the factual record, this Court shall construe all facts and make reasonable inferences in the light most favorable to the non-moving party. *See Byers v. City of Albuquerque*, 150 F.3d 1271, 1274 (10th Cir. 1998).

II. Summary Judgment Should Be Denied Because Triable Issues Of Fact Exist As To Busco’s Liability Under The Rehabilitation Act.

It is undisputed that Busco receives federal financial assistance. Further, Busco employees were directly responsible for many of the alleged Rehabilitation Act violations involving these two Defendants. For example:

- Plaintiffs allege that Defendants violated regulations requiring over-the-road-bus (“OTRB”) operators to provide an accessible bus upon forty-eight hours notice.

49 C.F.R. § 37.193(a)(1)(i).¹ A Busco employee took Ms. Krause’s request for an accessible bus and assured her one would be provided, and it was a Busco employee who drove the inaccessible bus.

- Plaintiffs allege that Defendants violated regulations requiring OTRB operators to transmit a Service Request Form to persons who request a list-equipped bus. 49 C.F.R. § 37.213(a). Again, the person who took Ms. Krause’s request for a list-equipped bus was a Busco employee.
- Plaintiffs allege that Defendants violate regulations requiring OTRB operators to provide adequate training to their employees, including on “appropriate interaction with passengers with disabilities.” 49 C.F.R. § 37.209. The bus driver who allegedly acted inappropriately with Ms. Krause was a Busco employee.

For these reasons, Defendants’ motion should be denied because there are, at a minimum, genuine issues of material fact as to Busco’s liability under the Rehabilitation Act.

III. Summary Judgment Should Be Denied Because Both Black Hills And Busco Are “Recipients” Of Financial Aid And Must Comply With The Rehabilitation Act.

The relevant definition of “recipient” includes any entity to whom federal financial assistance is provided “directly or through another recipient, including any successor, assignee, or transferee thereof” 49 C.F.R. § 27.5. Here, Busco receives federal financial assistance,

¹ See *Tandy v. Wichita*, 208 F. Supp. 2d 1214, 1220-21 (D. Kan. 2002), *rev’d in part on other grounds*, 380 F.3d 1277 (10th Cir. 2004) (a recipient of Department of Transportation funds complies with its Section 504 obligations by complying with ADA regulations). Busco now admits to receiving federal financial assistance. Williams Decl. ¶¶ 7-8, 13 & 16 & Exhs. K & P.

and Black Hills uses Busco employees, leases Busco buses and shares common directors and officers. At a minimum, this creates a genuine issue of material fact as to whether Black Hills is a recipient of federal financial assistance and thus covered by the Rehabilitation Act because it indirectly receives federal financial assistance through Busco. *See, e.g., Pottgen v. Missouri State High School Athletic Ass'n*, 857 F. Supp. 654, 663 (E. D. Mo. 1994), *rev'd on other grounds* 40 F.3d 926 (8th Cir. 1994) (holding that entity that indirectly received federal funding through its members was subject to Rehabilitation Act); *DeVargas v. Mason & Hanger-Silas Mason Co., Inc.*, 911 F.2d 1377, 1384 (10th Cir. 1990) (“program or activity” means “all of the operations” of the recipient of federal financial assistance)

IV. Summary Judgment Should Be Denied Because There Are Triable Issues Of Fact As To Whether Defendants Have Through Contractual Or Other Arrangements Violated The Rehabilitation Act.

Recipients of federal funding are prohibited from engaging in unlawful discrimination either “directly or *through contractual or other arrangements*.” 49 C.F.R. § 27.7(b)(4) (emphasis added).

Busco receives federal financial assistance. Notwithstanding that fact, it contends that it is not covered by the Rehabilitation Act because the transportation services are provided by its “sister” company Black Hills, which uses Busco employees, leases Busco buses, and which shares the same officers and directors as Busco. There is a triable issue of fact as to whether Busco uses Black Hills to avoid its obligations under the Rehabilitation Act in violation of section 27.7(b)(4). *See, e.g., James v. Peter Pan Transit Management, Inc.*, No. 5:97-CV-747-BO-1, 1999 WL 735173, at *9 (E.D.N.C. Jan. 20, 1999) (holding a city

responsible for its contractor's violations of the Rehabilitation Act).

V. Summary Judgment Should Be Denied Because There Are Triable Issues of Fact as to Whether Busco and Black Hills are Sufficiently Interrelated so as to Allow for Piercing of the Corporate Veil.

The Tenth Circuit Court of Appeals has set forth a ten-step inquiry for determining whether the operations of two entities are so interrelated that ones should be held liable for the actions of the other: (1) the parent corporation owns all or a majority of the capital stock of the subsidiary; (2) the parent and subsidiary corporations have common directors or officers; (3) the parent corporation finances the subsidiary; (4) the parent corporation subscribes to all the capital stock of the subsidiary or otherwise causes its incorporation; (5) the subsidiary has grossly inadequate capital; (6) the parent corporation pays the salaries or expenses or losses of the subsidiary; (7) the subsidiary has substantially no business except with the parent corporation or no assets except those conveyed to it by the parent corporation; (8) in the papers of the parent corporation, and in the statements of its officers, 'the subsidiary' is referred to as such or as a department or division; (9) the directors or executives of the subsidiary do not act independently in the interest of the subsidiary but take direction from the parent corporation; (10) the formal legal requirements of the subsidiary as a separate and independent corporation are not observed. *Skidmore, Owings & Merrill v. Canada Life Assurance Co.*, 907 F.2d 1026, 1027 (10th Cir. 1990).

In the case at bar, through discovery conducted to date, the stockholders and officers for Busco and Black Hills are the same family members. Williams Decl. ¶¶ 10 & 13. Defendants admit Black Hills has no employees and that any personnel used by Black Hills are employees of

Busco. *Id.* ¶¶ 14, 15, 18. These facts alone are sufficient to raise a genuine issue of material fact as to whether Busco and Black Hills are, for purposes of Section 504, the same entity.

VI. Federal Rule of Civil Procedure 56(f) Precludes Summary Judgment at This Stage of Litigation.

If Defendants' motion is not denied for the reasons set forth above, Plaintiffs respectfully request, pursuant to Rule 56(f), an opportunity to conduct additional discovery before responding to Defendants' motion.

Fed. R. Civ. P. 56(f) provides, "If a party opposing the motion shows by affidavit that, for specified reasons, it cannot present facts essential to justify its opposition, the court may: (1) deny the motion; (2) order a continuance to enable affidavits to be obtained, depositions to be taken, or other discovery to be undertaken; or (3) issue any other just order."

The rule is designed specifically to thwart the unjust granting of summary judgment until sufficient discovery can be conducted on important issues relevant to disputed facts. *See, e.g., In re American Family Mut. Ins. Co. Overtime Pay Litigation*, No. 06-cv-17430-WYD-CBS, 2007 WL 2936319,*11-12 (D. Colo., Oct. 9, 2007) (granting additional time to respond to motion for summary judgment until depositions could be taken); *Eastman Kodak Co. v. Westway Motor Freight*, 751 F.Supp. 1481 (D. Colo. 1990) (same).

When opposing a motion for summary judgment on Rule 56(f) grounds, the nonmovant must explain why facts precluding summary judgment cannot yet be presented, what steps have been taken to obtain those facts, and how additional time will enable rebuttal of the movant's allegation of no genuine issue of material fact. *Committee for the First Amendment v. Campbell*,

962 F.2d 1517, 1522 (10th Cir. 1992).

Plaintiffs sought discovery relevant to the factors set forth in *Frank v. U.S. West, Inc.*, 3 F.3d 1357 (10th Cir. 1993) for determining whether the actions of one company may cause it to be liable for the conduct of another company. The *Frank* Court identified three tests that may apply in these circumstances: (1) The “interrelation of operations” test; (2) the “centralized control of labor relations” test; and (3) the “common management” test. *Frank* at 1362-64. Determining the structure of ownership, whether employees and equipment (including buses in this case) are shared and the methods of ownership and operation are critical to answering the question of whether Busco exerts sufficient control over Black Hills to be held liable for its actions under Section 504.

Plaintiffs have engaged in and continue to engage in discovery designed to answer this question. The attached Declaration of Kevin W. Williams and exhibits explaining the status of discovery with these defendants and efforts made to obtain the requested discovery fulfill the requirements of the Tenth Circuit’s decision in *Campbell*, Williams Decl. ¶¶ 11-20 & attached exhibits, and plaintiffs should be permitted time to depose defendants’ representatives, or, if necessary, file a motion to compel to obtain the necessary documents. At the very least, plaintiffs’ counsel need time to depose Busco and Black Hills’ directors and employees to determine the relationship of Busco’s and Black Hills’ programs and activities. If the records depositions and Rule 30(b)(6) depositions produce evidence that additional documents pertaining to employees, leases, etc. exist, plaintiffs need time to review these additional discoverable documents.

CONCLUSION

WHEREFORE, for the foregoing reasons, plaintiffs respectfully request this Court deny defendants' motion for summary judgment on plaintiffs' second claim for relief.

Dated: May 27, 2008

Respectfully submitted,

s/ Kevin W. Williams

Kevin W. Williams, Legal Program Director

Carrie Ann Lucas, CRPD Director

Colorado Cross Disability Coalition

655 Broadway, Suite 775

Denver, CO 80203

Telephone: (303) 839-1775

Facsimile: (303) 839-1782

E-mail: kwilliams@ccdconline.org

E-mail: clucas@ccdconline.org

Timothy P. Fox

Amy F. Robertson

Fox & Robertson, P.C.

910 - 16th Street, Suite 610

Denver, CO 80202

Telephone: (303) 595-9700

Facsimile: (303) 595-9705

E-mail: tfox@foxrob.com

E-mail: arob@foxrob.com

Attorneys for Plaintiffs

Certificate of Service

I hereby certify that on May 27, 2008, I electronically filed Plaintiffs' Response to Defendant Busco, Inc. and Black Hills Stage Lines Motion to Dismiss Plaintiffs' Second Claim for Relief with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

Jay S. Jester, Esq.
Marcel Krzystek, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
jjester@jgllp.com
mkrzystek@jgllp.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com

s/ Briana McCarten

Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Telephone: (303) 839-1775
TTY: (303) 839-0015
Facsimile: (303) 839-1782
bmcarten@ccdconline.org

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BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

DECLARATION OF KEVIN W. WILLIAMS

Pursuant to 28 U.S.C. § 1746(2), I, Kevin W. Williams, declare the following:

1. I am over eighteen years of age and competent to make this Declaration.
2. I am the Legal Program Director of the Colorado Cross-Disability Coalition ("CCDC"). I, Carrie Ann Lucas, and the law firm of Fox & Robertson, P.C. are counsel for the plaintiffs in this litigation.
3. On May 27, 2008, I printed true and correct copies of Exhs. A & B, attached hereto (printouts of web pages for Busco, Inc., d/b/a Arrow Stage Lines and Black Hills Stage

Lines, Inc.), from the URL's <http://arrowstagelines.com/location.asp> and <http://www.blackhillsstagelines.com>, respectively.

4. On May 27, 2007, I printed a true and correct copy of Exh. C attached hereto, the Colorado Secretary of State's business information summary page for Busco, Inc., d/b/a Arrow Stage Lines ("Busco"), URL <http://www.sos.state.co.us/biz/BusinessEntityDetail.do?quitButtonDestination=BusinessEntityResults&nameTyp=ENT&masterFileId=19941013955&entityId2=19941013955&srchTyp=ENTIT> Y&fileId=19941013955.

5. On January 15, 2008, Busco submitted its initial disclosures. A true and correct copy of this document is attached as Exh. D.

6. On February 19, 2008, Busco provided the undersigned with its First Supplemental Rule 26(a)(1) Disclosure, a true and correct copy of which is attached as Exh. E. In this disclosure, Busco identified Connie McGhee, Bus Agent for Busco, at the same office address and telephone number as Black Hills, as the individual who "has made reservations [for accessible buses] for Plaintiff Eileen Hope Krause."

7. On March 2, 2008, I e-mailed counsel for Busco regarding Busco's receipt of federal financial assistance. A true and correct copy of this e-mail message is attached as Exh. F.

8. On March 5, 2008, counsel for Busco confirmed to the undersigned by telephone and e-mail Busco does received federal financial assistance.

9. On or about March 5, 2008, counsel for Busco, Marcel Krzystek, called me to inform me that Busco was not the correct defendant with respect to Plaintiff Krause's allegations

and that Black Hills Stage Lines, Inc. (“Black Hills”) was the proper defendant. Mr. Krzystek followed this conversation up with an e-mail message regarding Black Hills, a true and correct copy of which is attached as Exh. G. Mr. Krzystek informed the undersigned that Busco ran a charter bus company, and Black Hills was the operator of the fixed route OTRB service addressed in the Amended Complaint.

10. I provide a true and correct copies of the Nebraska Secretary of State’s records, printed May 27, 2008, for Black Hills at URL, <https://www.nebraska.gov/sos/corp/corptest.cgi?acct-number=0343137>, and Busco, <https://www.nebraska.gov/sos/corp/corptest.cgi?acct-number=1075751>, attached hereto as Exhs. H & I, respectively, showing that Busco and Black Hills have the same directors and officers.

11. I sent discovery requests to defendant Busco on March 10, 2008. A true and correct copy of this document is attached as Exh. J. In these requests, we specifically requested the following:

- a. **Interrogatory 3:** Identify the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, Arrow Stage Lines and Black Hills Stage Lines, Inc.
- b. **Document Request 1:** Identify all documents identified in, or referred to in answering, and Interrogatory.
- c. **Document Request 3:** All documents showing the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow

Stage Lines, Arrow Stage Lines and Black Hills Stage Lines, Inc.

- d. **Document Request 10:** All documents relating to the acquisition of accessible buses for your or Black Hills Stage Lines, Inc.'s OTRB fixed route services.
- e. **Document Request 11:** All documents relating to the number of buses that you purchased, remanufactured or leased for your or Black Hills Stage Lines, Inc.'s OTRB fixed route service since October 30, 2000, that did not have a wheelchair lift.

12. On April 11, 2008, the undersigned served discovery requests on Black Hills. A true and correct copy of this document is attached as Exh. K. In these requests, plaintiffs asked for the following:

- a. **Interrogatory 4:** Identify the number of buses for use in your OTRB fixed route services that you purchased, remanufactured or leased since October 30, 2000, that did not have a lift.
- b. **Interrogatory 6:** Identify the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, and Black Hills Stage Lines, Inc., including, for each company, identifying (1) the employees; (2) the duties and responsibilities of the employees; (3) the stockholders; (4) the level of control Busco employees have over Black Hills employees' actions; (5) the hiring and disciplinary practices and procedures; and (6) the owner/s/lessee/s of office and facility space, equipment and furniture.
- c. **Document Request 1:** All documents identified in, or referred to in answering,

any Interrogatory.

- d. **Document Request 3:** All documents showing the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, and Black Hills Stage Lines, Inc.
- e. **Document Request 9:** All documents relating to the acquisition of accessible buses for your OTRB fixed route services.
- f. **Document Request 10:** All documents relating to the number of buses that you purchased, remanufactured or leased for your OTRB fixed route service since October 30, 2000, that did not have a wheelchair lift.
- g. **Document Request 14:** All accounting records for Busco and Black Hills for the last two years, including tax returns, balance statements, and billing statements.
- h. **Document Request 15:** All documents pertaining to employee benefits programs for Busco and Black Hills.
- i. **Document Request 16** All payroll records for Busco and Black Hills.
- j. **Document Request 17:** All leases, receipts and/or deeds for Busco and Black Hills for office space, bus maintenance facilities, furniture, and equipment (including buses).

13. On May 8, 2008, the undersigned received Busco's responses to plaintiffs' first set of discovery requests. A true and correct copy of this document is attached as Exh. L hereto. Busco admits to receiving federal financial assistance. *See* Response to interrogatory 1 and response to document request 2. Also, in these responses:

- a. **Response to Interrogatory 3:** Busco states Black Hills leases buses from Busco; Black Hills owns the land Busco's facility used by Busco; the land is leased to Doyle Busskohl who owns the building.
- b. **Response to Interrogatory 4:** Busco claims it has not had any communications with plaintiffs, which directly contradicts its statements that Black Hills has no employees and Connie McGhee, a Busco employee, communicated with Plaintiff Krause.
- c. **Response to Interrogatory 6 and Responses to Request for Production 10 & 11:** Busco states it has eight accessible buses "some or all of which are available to Black Hills." Also, Busco purchased one accessible bus in 2007 specifically for use by Black Hills.
- d. **Response to Document Request 2:** Busco admits to receiving federal financial assistance.
- e. **Responses to Document Requests 1, 3, 5:** Busco did not identify or provide documentation for its employees, any leases for buses, equipment or furniture or for the building Busco uses.

14. On May 8, the undersigned received Black Hills' responses to plaintiffs' first set of discovery requests. A true and correct copy of this document is attached as Exh. M hereto. Black Hills denies receiving federal financial assistance. *See* Response to interrogatory 1. Also in these responses:

- a. **Response to Interrogatory 2:** Black Hills claims it communicated with

plaintiffs, but Black Hills has no employees. Connie McGhee is an employee of Busco.

- b. **Response to Interrogatory 4:** Black Hills claims it leases buses from Busco, but cannot identify what buses or when they were leased. Also, Black Hills cannot identify if or when accessible buses were used.
- c. **Response to Interrogatory 6:** Black Hills leases buses from Busco. Busco provides a bus driver for Black Hills. Black Hills has no employees. Its stockholders are Doyle, Steve and David Busskohl. Black Hills owns the ground beneath the building owned by Doyle Busskohl and used by Busco. Busco pays rent to Black Hills for the use of the building.
- d. **Responses to Requests for Production of Documents 1, 3:** Black Hills provided no copies of leases or other documents indicating the relationship of Black Hills to Busco and the sharing of employees.
- e. **Responses to Requests for Production 8, 9, 10:** Black Hills claimed to have no responsive documents regarding leases, maintenance of buses or its acquisition of vehicles despite the fact that it leases buses from Busco.
- f. **Responses to Requests for Production 11, 12, 13:** Black Hills claims to have submitted annual reports pursuant to 49 C.F.R. § 37.213 to the Department of Transportation. The undersigned sent a Freedom of Information Act request to the Department of Transportation on March 27, 2008, requesting documentation of all defendants' submissions to the Department pursuant to this regulation. A true and

correct copy of that letter is attached as Exh. N. In the Department's response letter, a true and correct copy of which is attached as Exh. O, the Department had no record of these documents being submitted and showed Black Hills to be on "inactive" status.

15. A true and correct copy of my May 13, 2008 letter sent to counsel for Busco is attached hereto as Exh. P.

16. Counsel for Busco and Black Hills responded to my letter of May 13, 2008 by letter dated May 19, 2008. A true and correct copy of this letter is attached hereto as Exh. Q. Counsel responded there is no documentation of what buses Busco provided to Black Hills, that Black Hills has not provided documents to the Department of Transportation required by 49 U.S.C. § 37.213, and that Busco is looking for but has not produced any document pertaining to the purchase of the accessible bus referenced in its initial discovery responses. Busco also reiterated that it receives federal financial assistance.

17. Busco submitted its supplemental responses to plaintiffs' discovery requests on May 19, 2008. A true and correct copy of that document is attached as Exh. R hereto. In its supplemental response to interrogatory 4, Busco references communications between bus driver Paul Sylvander, a Busco employee, and Plaintiff Krause.

18. Black Hills submitted its supplemental responses to plaintiffs' discovery requests on May 16, 2008. A true and correct copy of that document is attached as Exh. S hereto. In its supplemental response to interrogatory 2, Black Hills references communications between it and plaintiffs; however, these communications were with Busco employees. In addition, in response

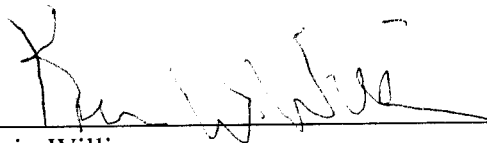
to plaintiffs' document requests, Black Hills provided the following response to plaintiffs' request for employee records, leases, receipts and/or deeds for Busco and Black Hills for office space, bus maintenance facilities, furniture and equipment: **Supplemental Response to Request for Production 17:** Black Hills identified one lease that is responsive and produced BUSCO262-264. A true and correct copy of this document is attached hereto as Exh. T. No other leases have been identified or produced. This lease demonstrates that certain real property owned by Busco was assigned to Black Hills and leased to Doyle Busskohl, Director of Black Hills and Busco, with an option to purchase.

19. The undersigned sent Busco and Black Hills each a Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6) and a Notice of Deposition of Custodian of Records Pursuant to Fed. R. Civ. P. 30(b)(6) on May 12, 2008. True and correct copies of these notices are attached as Exhs. U-X respectively. Counsel for the defendants and the undersigned have been communicating about but have not yet been able to set dates and times for these depositions.

20. A true and correct copy of Plaintiffs' Second Set of Written Discovery to Defendants' Busco, Inc. and Black Hills Stage Lines, Inc. is attached hereto as Exh. Y.

21. A true and correct copy of the letter I sent to counsel for Busco and Black Hills is attached as Exh. Z.

I declare under penalty of perjury that the foregoing is true and correct.



Kevin Williams

Executed on: May 27, 2008

Exhibit A



[ABOUT US](#)

[CHARTERS](#)

[OUR SERVICES](#)

[WHY ARROW?](#)

[CONTACT US](#)

[QUOTE REQUEST](#)

[GALLERY](#)

[ASL BLOG](#)

Contact Us



Arrow Stage Lines Corporate Headquarters

Arrow Stage Lines
720 East Norfolk Ave
Norfolk, NE 68701
Ph. (402) 371-3850 (8 AM to 5 PM Monday-Friday)
Fax. (402) 371-3267

Arrow Stage Lines Operational Headquarters

Arrow Stage Lines
4220 South 52nd Street
Omaha, NE 68117
Ph. (402) 731-1900
Fax. (402) 731-1333

Have a general quesitons or comment? Email
luke@arrowstagelines.com

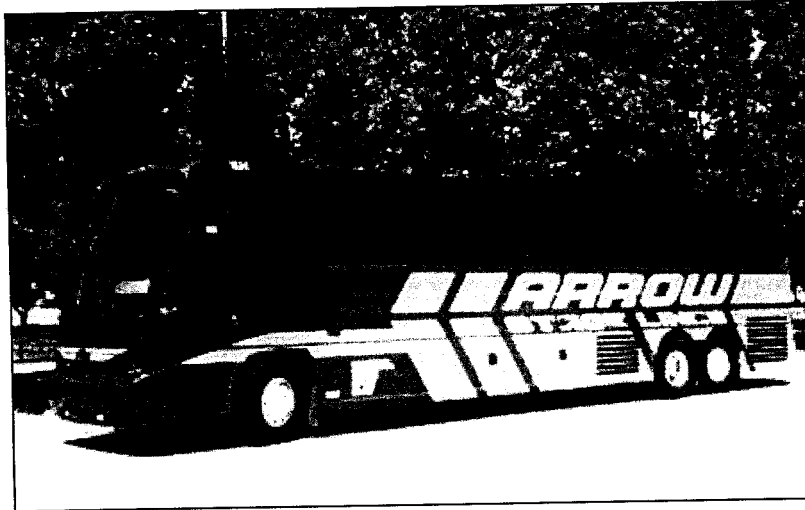
Locations

- Omaha, NE
- Norfolk, NE
- Lincoln, NE
- Grand Island, NE
- Denver, CO
- Las Vegas, NV
- Kansas City, MO
- Manhattan, KS
- Topeka, KS
- Sioux City, IA
- Des Moines, IA
- Phoenix, AZ
- Tucson, AZ

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Exhibit B

Black Hills Stage Lines, Inc.
720 East Norfolk Ave
Norfolk, NE 68701



SCHEDULED BUS SERVICE

Need to go someplace soon and would rather not fly? Let us take you where to want to go. We currently have two schedules that we take everyday. We have a Norfolk, NE to Omaha, NE with connecting routes as well as our new I-80 & 76 route that travels from Omaha, NE to Denver, CO. Click on the links below to view our schedule times and pricing:

- Norfolk, NE to Omaha, NE with connecting routes
- I-80 & 76 Schedule

For more information call us at 402-371-3850 or email us at jim@arrowstagelines.com

*Need to Charter a motorcoach for your group? Visit www.arrowstagelines.com

*Additional and connecting routes may be available through our connections with other carriers. Please visit Greyhound Lines for additional schedules. For further assistance please contact us at 402-371-3850 or email Jim Maly.

Established in 1928

Exhibit C



For this Record...

History & Documents
View Trade names
Cert of Good Standing
File Document
Email Notification

Business Home
Business Information
Business Search

FAQs
Glossary

Summary

ID Number:	19941013955
Name:	BUSCO, INC.
Registered Agent:	ROGER RIGGERT
Registered Agent Street Address:	12295 E 37 AVE, DENVER, CO 80239, United States
Registered Agent Mailing Address:	
Principal Office Street Address:	4220 S 52ND ST, OMAHA , NE 68117, United States
Principal Office Mailing Address:	
Status:	Good Standing
Form:	Foreign Corporation
Jurisdiction:	Nebraska
Formation Date:	02/04/1994
Term of Duration:	Perpetual
Annual Report Month:	February

You may:

- View History and Documents
- View Trade names
- Obtain Certificate of Good Standing
- File a Document
- Set Up Email Notification

[Previous Page](#)
Business Center: 303 894 2200 • Fax: 303 869 4864 • e-mail: sos.business@sos.state.co.us
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Exhibit D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
TIMOTHY J. COENEN,
JULIE REISKIN,
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware Corporation,
CUSA PRTS, LLC, d/b/a POWDER RIVER TRANSPORTATION SERVICES, a
Delaware Corporation,
BURLINGTON STAGE LINES, LTD., d/b/a BURLINGTON TRAILWAYS, an Iowa
Corporation,
TEXAS, NEW MEXICO AND OKLAMOMA (TNM&O) COACHES, INC., a Delaware
Corporation, and
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska Corporation

Defendants.

DEFENDANT BUSCO, INC.'S RULE 26(a)(1) DISCLOSURES

Defendant, Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines (hereinafter "Busco"), by and through its counsel, Jay S. Jester and Marcel Krzystek of Jester & Gibson, LLP, hereby submits its initial disclosures pursuant to FED.R.CIV.P. 26(a)(1) as follows:

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION

Pursuant to Fed.R.Civ.P. 26(a)(1)(A), in addition to each party, the following individuals, their addresses and phone numbers if known, are likely to have discoverable information relevant to the disputed facts and the subject matter:

1. Steven Busskohl, 720 E. Norfolk Avenue, Norfolk, NE 68701, (402) 371-3850. Mr.

Busskohl is the Chief Executive Officer of Busco, Inc. and may have discoverable information regarding the subject matter of this litigation, including, but not limited to, Busco's fleet purchasing and leasing practices, Busco's policies and practices regarding provision of services to handicapped passengers, the number of buses in Busco's fleet and number of handicapped-accessible buses, the provision of equivalent service, and the operation of Busco generally.

2. Roger Riggert, Arrow Stage Lines, 12295 East 37th Avenue, Denver, CO 80239, (303) 373-9119. Mr. Riggert is the West Regional Director of Arrow Stage Lines, the Rocky Mountain division of Busco. Mr. Riggert may have discoverable information regarding the subject matter of this litigation, including, but not limited to, Busco's operation of the routes in the Rocky Mountain region, Busco's policies and practices regarding provision of services to handicapped passengers, and the operation of Busco generally. Furthermore, Mr. Riggert drove the bus that picked up Plaintiff Eileen Krause in Fort Collins and drove her Denver.

3. Gene Wordekemper, Arrow Stage Lines, 12295 East 37th Avenue, Denver, CO 80239, (303) 373-9119. Mr. Wurdekemper is the Maintenance Director for Arrow Stage Lines and may have discoverable information regarding the subject matter of this litigation, including, but not limited to, Busco's maintenance of its bus fleet, including the maintenance of lifts and/or other accessibility features.

**B. LISTING, DESCRIPTION AND LOCATION OF DOCUMENTS, DATA
COMPIATIONS AND TANGIBLE THINGS**

Pursuant to Fed.R.Civ.P. 26(a)(1)(B), below is a listing, description and/or location of all documents and tangible items in the possession, custody, or control of Defendant Busco, Inc. that are relevant to the disputed facts. Defendant reserves all of its rights to assert any applicable objection based on relevance, any burden of production, or privilege under federal or Colorado law with respect to any individual document, data compilation, or tangible thing, including but not limited to, the attorney-client privilege, the attorney work product privilege, the required reports privilege, and the physician-patient privilege. Pursuant to Fed.R.Civ.P. 26(a)(1)(B) and subject to the foregoing, the documents listed below are produced with this Disclosure:

1. Memo dated November 7, 2007;
2. Email from Wordekemper dated November 5, 2007 regarding wheelchair lift inspection;
3. Wheelchair Lift Preventive Maintenance Inspection form;
4. Email from Wordekemper dated November 2, 2007 re: Ricon Baylift Training;
5. Instructor's Guide regarding Equipment Familiarity and Use, Off-Road Vehicle

- Handling, On-Road Practices, and Transporting Passengers and Baggage;
6. Procedures for the Americans with Disabilities Act (ADA) Request Forms;
7. Wheelchair Lift Daily Inspection forms;
8. Email from Joe Reifenrath re: lift-equipped buses;
9. Procedures for Annual ADA Reports;
10. Annual Report regarding Accessible Transportation Requests Summary & Bus and Motorcoach Fleet Accessibility;
11. ADA Monthly Totals;
12. Email from Wordekemper dated December 3, 2007 re: forms.

Any additional documents presently unidentified, which may be relevant to the claims or defenses of Defendant. Any such documents that may be determined in the future to be in the possession, custody or control of the Defendant, which Defendant deems relevant, will be disclosed pursuant to the Defendant's ongoing obligation to supplement its discovery responses pursuant to Fed.R.Civ.P. 26(e).

C. COMPUTATION OF DAMAGES

Pursuant to Fed.R.Civ.P. 26(a)(1)(C), Defendant Busco, Inc. does not seek damages from Plaintiffs, but reserves its rights to seek its attorneys' fees and costs should it prevail in this action.

D. INSURANCE AGREEMENTS

Pursuant to Fed.R.Civ.P. 26(a)(1)(D), Defendant Busco has no insurance agreement that would apply to the circumstances set out in this action.

Submitted this 15th day of January, 2008.

Respectfully submitted,

JESTER & GIBSON, LLP

By: s/ Marcel Krzystek
Jay S. Jester
Marcel Krzystek
Jester & Gibson, LLP
1875 Lawrence St., Ste. 740
Denver, CO 80202
Phone: 303-377-7888

jjester@jgllp.com

Attorneys for Defendant BUSCO, INC.,
d/b/a BUSCO, INC. ARROW STAGE
LINES

CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2008, I electronically served the foregoing
DEFENDANT BUSCO'S RULE 26(a)(1) DISCLOSURES upon the following to the
following e-mail addresses:

- **Kevin W. Williams**
kwilliams@ccdconline.org, clucas@ccdconline.org
- **Susan Penniman Klopman**
sklopman@bhfs.com
- **Timothy Patrick Fox**
tfox@foxrob.com, arob@foxrob.com
- **Leslie Lynn Schluter**
lschluter@lawincolorado.com

JESTER & GIBSON, LLP

By: s/ Marcel Krzystek
Marcel Krzystek
Jester & Gibson, LLP
1875 Lawrence St., Ste. 740
Denver, CO 80202
Phone: 303-377-7888
mkrzystek@jgllp.com

Exhibit E

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
TIMOTHY J. COENEN,
JULIE REISKIN,
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware Corporation,
CUSA PRTS, LLC, d/b/a POWDER RIVER TRANSPORTATION SERVICES, a
Delaware Corporation,
BURLINGTON STAGE LINES, LTD., d/b/a BURLINGTON TRAILWAYS, an Iowa
Corporation,
TEXAS, NEW MEXICO AND OKLAMOMA (TNM&O) COACHES, INC., a Delaware
Corporation, and
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska Corporation

Defendants.

DEFENDANT BUSCO, INC.'S FIRST SUPPLEMENTAL RULE 26(a)(1) DISCLOSURE

Defendant, Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines (hereinafter "Busco"), by and through its counsel, Jay S. Jester and Marcel Krzystek of Jester & Gibson, LLP, hereby submits its first supplemental initial disclosure pursuant to FED.R.CIV.P. 26(a)(1) and FED.R.CIV.P. 26(e) as follows:

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION

Pursuant to FED.R.CIV.P. 26(a)(1)(A), in addition to each party, the following individuals, their addresses and phone numbers if known, are likely to have discoverable information relevant to the disputed facts and the subject matter:

4. Connie McGhee, 720 E. Norfolk Avenue, Norfolk, NE 68701, (402) 371-3850. Ms. McGhee is the Bus Agent for Busco, Inc. and has made reservations for Plaintiff Eileen Hope Krause and other individuals seeking ADA equipped buses in the past. Consequently, Ms. McGhee may have discoverable information regarding the subject matter of this litigation, including, but not limited to, Plaintiff Krause's requests for accommodation or lack thereof, Busco's policies and practices regarding provision of services to handicapped passengers, the number of buses in Busco's fleet and number of handicapped-accessible buses, the provision of equivalent service, and the operation of Busco generally.

Submitted this 19th day of February, 2008.

Respectfully submitted,

JESTER & GIBSON, LLP

By: s/ Marcel Krzystek
Jay S. Jester
Marcel Krzystek
Jester & Gibson, LLP
1875 Lawrence St., Ste. 740
Denver, CO 80202
Phone: 303-377-7888
jjester@jgllp.com
Attorneys for Defendant BUSCO, INC.,
d/b/a BUSCO, INC. ARROW STAGE
LINES

CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2008, I electronically served the foregoing **DEFENDANT BUSCO'S FIRST SUPPLEMENTAL RULE 26(a)(1) DISCLOSURE** upon the following to the following e-mail addresses:

- **Kevin W. Williams**
kwilliams@ccdconline.org, clucas@ccdconline.org
- **Susan Penniman Klopman**
sklopman@bhfs.com
- **Timothy Patrick Fox**
tfox@foxrob.com, arob@foxrob.com

- **Leslie Lynn Schluter**
lschluter@lawincolorado.com

JESTER & GIBSON, LLP

By: s/ Marcel Krzystek
Marcel Krzystek
Jester & Gibson, LLP
1875 Lawrence St., Ste. 740
Denver, CO 80202
Phone: 303-377-7888
mkrzystek@jgllp.com

Exhibit F

Kevin Williams

From: Kevin Williams [kwilliams@ccdconline.org]
Sent: Sunday, March 02, 2008 6:11 PM
To: 'Marcel Krzystek'
Cc: 'Tim Fox'
Subject: CCDC/Busco settlement discussions

SUBJECT TO FED. R. EVID. 408

Marcel:

Before we engage in further settlement discussions, we need to make sure that the parties agree as to two important facts. First, we understand that Busco's gross annual transportation revenues exceeded \$7.7 million last year (total sales revenues of \$25.8 million last year), thereby taking it out of the small bus operator provisions of the ADA. See 49 C.F.R. Sec. 37.3 (defining "small operator" and the Federal Motor Carrier Safety Administration's ADA Guidelines for Over-the-Road Bus Companies, which can be found at <http://www.fmcsa.dot.gov/rules-regulations/bus/company/ada-guidelines.htm>). Second, we understand that Busco's representative at the settlement conference was adamant that it has not received federal funding. This puzzles us, as we've found evidence that Busco has received federal funding. See, for example, the following:

http://www.fedspending.org/faads/faads.php?recip_id=966949&detail=-1. (2006 Department of Justice Intercity Bus Security Grant).

http://www.tsa.gov/assets/pdf/grants_ibsaawardsfy07.pdf (2007 -Intercity Bus Security Grant Program Tier II Award).

We'd appreciate any explanation of this discrepancy.

Kevin W. Williams
Legal Program Director
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, Colorado 80203
303.839-1775 Voice
303.839.0015 TTY
303.839.1782 Fax
kwilliams@ccdconline.org
www.ccdconline.org

The information contained in this e-mail message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think you have received this message in error, please e-mail the sender at kwilliams@ccdconline.org and delete it permanently from your computer files. Thank you.

_____ Information from ESET NOD32 Antivirus, version of virus signature database 3135 (20080527)

_____ The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

5/27/2008

Exhibit G

Kevin Williams

From: Marcel Krzystek [MKrzystek@jgllp.com]
Sent: Wednesday, March 05, 2008 5:28 PM
To: Kevin Williams
Subject: CCDC v. Greyhound, et al. - info on Black Hills from NE SOS website

Based on what Busco's counsel told me, Black Hills operates the two fixed routes, while Busco, d/b/a Arrow Stage Lines, operates the charter bus service. Black Hills actually leases the buses from Busco.

Entity Name	SOS Account Number		
BLACK HILLS STAGE LINES, INC.	0343137		
Principal Office Address	Registered Agent and Office Address		
720 E NORFOLK AVE NORFOLK, NE	DOYLE BUSSKOHL 720 EAST NORFOLK AVENUE NORFOLK, NE 687010000		
Nature of Business	Entity Type	Date Filed	Account Status
SCHEDULE BUS TRANSPORTATION	Domestic Corp	Jun 07 1961	Active

Corporation Position	Name	Address
President	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Secretary	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Treasurer	DAVID BUSSKOHL	2001 KOENIGSTEIN AVE NORFOLK, NE 687010000
Director	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Director	DOYLE BUSSKOHL	2201 KOENIGSTEIN NORFOLK, NE 68701
Director	DAVID BUSSKOHL	1707 IMPERIAL RD NORFOLK, NE 687010000

Marcel Krzystek, Esq.
 Jester & Gibson, LLP
 1875 Lawrence Street, Suite 740
 Denver, CO 80202
 (303) 339-4773 (direct)
 (303) 377-7075 (fax)
 mkrzystek@jgllp.com

This message is meant for the intended recipient only, and is confidential and privileged. Do not forward, copy or distribute without permission. Circular 230 Disclosure: Any statements regarding tax matters made herein, including any attachments, cannot be relied upon by any person to avoid tax penalties and are not intended to be used or referred to in any marketing or promotional materials. To the extent this communication contains a tax statement or tax advice, Jester & Gibson, LLP, does not and will not impose any limitation on disclosure of the tax treatment or tax structure of any transactions to which such tax statement or tax advice relates.

5/27/2008

Exhibit H

Official Nebraska Government Website

Home » Corporation and Business Entity Searches
Tue May 27 11:33:21 2008

For Letters of Good Standing (\$6.50), Certificates of Good Standing (\$10.00), and/or images (\$0.45 per page) of documents filed with the Secretary of State please click the corresponding service below:

NEW SEARCH**SHOPPING CART**[Back to Search Results](#)**Pay Services:**

Online Images of Filed Documents | Good Standing Documents

Entity Name	SOS Account Number
BLACK HILLS STAGE LINES, INC.	0343137

Principal Office Address

720 E NORFOLK AVE
NORFOLK, NE

Registered Agent and Office Address

DOYLE BUSSKOHL
720 EAST NORFOLK AVENUE
NORFOLK, NE 687010000

Nature of Business	Entity Type	Date Filed	Account Status
SCHEDULE BUS TRANSPORTATION	Domestic Corp	Jun 07 1961	Active

Corporation Position	Name	Address
President	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Secretary	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Treasurer	SUSAN BUSSKOHL	802 SKYVIEW CIRCLE NORFOLK, NE 68701
Director	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Director	DOYLE BUSSKOHL	2201 KOENIGSTEIN NORFOLK, NE 68701
Director	DAVID BUSSKOHL	1707 IMPERIAL RD NORFOLK, NE 687010000

Pay Services:

To add an item to your shopping cart, please check the check box and click "Add Items to Cart" button at the bottom of the page.

- Images of Filed Documents

If a check box is visible, the document may be retrieved online, otherwise you must contact the Secretary of State's office to obtain a copy of the document.

	Code	Trans	Date	Price
<input type="checkbox"/>	AP	Articles Perpetual	Jun 07 1961	\$5.40 = 12 page (s) @ \$0.45 per

page

NP	Non Payment of Taxes	Aug 02 1972	
<input type="checkbox"/> CR	Certificate of Revival	Jan 15 1976	\$0.90 = 2 page(s) @ \$0.45 per page
NP	Non Payment of Taxes	Apr 16 1996	
<input type="checkbox"/> CR	Certificate of Revival	Jun 24 1996	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Mar 01 1999	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 27 2000	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 17 2001	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 25 2002	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 08 2003	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 29 2004	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 26 2006	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/> TR	Tax Return	Jan 18 2008	\$0.90 = 2 page(s) @ \$0.45 per page

- Letter of Good Standing

☐ I want to order an online/electronic Letter of Good Standing for the Corporation which is immediately available for viewing or printing from my desktop. \$6.50

- Certificate of Good Standing

☐ I want to order a Certificate of Good Standing for the Corporation which contains the State Seal and signature of the Secretary of State. The certificates are mailed from the Secretary of State's office within 2-3 business days. \$10.00

Click Here to view FAQ for explanation for requesting a Letter of Good Standing available online or Certificate of Good Standing available from Secretary of State's office.

Select All | Select None

ADD TO CART

[Back to Top](#)

For Help/Information about Images, please view the FAQ. Thank you!

Exhibit I

Official Nebraska Government Website

Home » Corporation and Business Entity Searches
Tue May 27 11:34:28 2008

NEW SEARCH**SHOPPING CART**

For Letters of Good Standing (\$6.50), Certificates of Good Standing (\$10.00), and/or images (\$0.45 per page) of documents filed with the Secretary of State please click the corresponding service below:

[Back to Search Results](#)**Pay Services:**

Online Images of Filed Documents | Good Standing Documents

Entity Name	SOS Account Number
BUSCO, INC.	1075751

Principal Office Address

720 E NORFOLK AVE
NORFOLK, NE

Registered Agent and Office Address

STEPHEN D. BUSSKOHL
720 EAST NORFOLK AVE
NORFOLK, NE 687010000

Nature of Business	Entity Type	Date Filed	Account Status
MOTORCOACH TRANSPORTATION	Domestic Corp	Jun 04 1990	Active

Corporation Position	Name	Address
President	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Secretary	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Treasurer	DAVID BUSSKOHL	1707 IMPERIAL RD NORFOLK, NE 687010000
Director	STEVE BUSSKOHL	1207 KOENIGSTEIN NORFOLK, NE 687010000
Director	DOYLE BUSSKOHL	, 0
Director	DAVID BUSSKOHL	1707 IMPERIAL RD NORFOLK, NE 687010000

Pay Services:

To add an item to your shopping cart, please check the check box and click "Add Items to Cart" button at the bottom of the page.

- Images of Filed Documents

If a check box is visible, the document may be retrieved online, otherwise you must contact the Secretary of State's office to obtain a copy of the document.

Code	Trans	Date	Price
<input type="checkbox"/> AP	Articles Perpetual	Jun 04 1990	\$1.35 = 3 page(s) @ \$0.45 per page

<input type="checkbox"/>	PP	Proof of Publication	Jul 27 1990	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	RS	Reduction of Stock	Nov 23 1992	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Apr 09 1999	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	MI	Merge In	Apr 19 1999	\$1.80 = 4 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Mar 14 2000	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Jan 23 2001	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Jan 28 2002	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Jan 13 2003	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Mar 02 2004	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Jan 13 2006	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Mar 06 2008	\$0.90 = 2 page(s) @ \$0.45 per page

- Letter of Good Standing

- ☐ I want to order an online/electronic Letter of Good Standing for the Corporation which is immediately available for viewing or printing from my desktop. \$6.50

- Certificate of Good Standing

- ☐ I want to order a Certificate of Good Standing for the Corporation which contains the State Seal and signature of the Secretary of State. The certificates are mailed from the Secretary of State's office within 2-3 business days. \$10.00

Click Here to view FAQ for explanation for requesting a Letter of Good Standing available online or Certificate of Good Standing available from Secretary of State's office.

Select All | Select None

ADD TO CART

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For Help/Information about Images, please view the FAQ. Thank you!

Exhibit J

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
TIMOTHY J. COENEN,
JULIE REISKIN, and
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
CUSA PRTS, LLC, D/B/A, POWDER RIVER TRANSPORTATION, a Delaware limited
liability company.
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa
corporation,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation, and
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation,

Defendants.

**PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY TO DEFENDANT BUSCO,
INC., d/b/a BUSCO, INC. ARROW STAGE LINES**

Plaintiffs, by and through their attorneys, Kevin W. Williams and Fox & Robertson, P.C.,
do hereby serve there their First Set of Discovery to Defendant, Busco, Inc., d/b/a Busco, Inc.
Arrow Stage Lines, pursuant to Federal Rules of Civil Procedure 33 and 34. The responses to
these discovery requests are due thirty (30) days from the date of service.

Definitions and Instructions

1. These Interrogatories and Document Requests are continuing in character. You are requested to file supplementary answers promptly whenever you obtain further or different information responsive to these Interrogatories and Document Requests. Should you be unable to respond to any Interrogatory or Document Request or portion thereof at this time, you should respond promptly when you are able to provide any responsive information.

2. A request to “identify” a person means to state, to the extent known to you, the full name, any nicknames of which you are aware, all present or last known addresses, all present or last known telephone numbers, employer, occupation and job title of such person.

3. A request to “identify” any other entity means to state, to the extent known to you, the full name of such entity, the address of its principal place of business, the nature of its business, its telephone number, and the names of its principals.

4. A request to “identify” a document or other written communication means to state, to the extent known to you, the date, all author(s), all addressee(s), all recipients(s), title, subject matter, content, purpose, and present custodian or location of the document or written communication in question and, in the case of a computer or electronic document, the software and hardware in which it is stored.

5. A request to “identify” any non-written communication means to identify the natural person(s) making and receiving the communication and all persons present for the communication, and to state their respective principals or employers at the time of the communication, the date, time, manner and place of the communication, and the substance of the

communication.

6. A request to “identify” an action or conduct means to describe the action or conduct, identify all natural person(s) who were involved in or had knowledge of the conduct and to state their respective principals or employers at the time of the action or conduct, and provide the date, time, manner and place of the action or conduct.

7. As used herein, the term “documents” means all documents to which Plaintiff is entitled under Rule 34 of the Federal Rules of Civil Procedure in your possession, custody or control, including data accessible through any electronic data processing system, and any written, printed, typed, drawn, punched, graphic or photographic matter of any kind or nature, however produced or reproduced, including nonidentical copies thereof.

8. As used herein, “communication” includes conversations, meetings, telephone calls, electronic mail and all other methods and media by which words are conveyed from one person to one or more others.

9. As used herein, “representative” includes, but is not limited to, employees, agents, officers, directors and attorneys. You are requested to furnish information that is within your possession, custody or control as well as any such information within the possession, custody or control of any individual or entity who is your representative.

10. As used herein, a document or statement “relating to” a given subject matter means a document or statement that constitutes, embodies, comprises, reflects, identifies, states, refers to, deals with, comments on, responds to, describes, analyzes, contains information concerning, or is in any way pertinent to that subject matter.

11. Wherever it is necessary to bring within the scope of these Interrogatories and Document Requests information or documents that otherwise might be construed to be outside their scope, (1) the use of “and” as well as “or” shall be construed both disjunctively and conjunctively; (2) the use of a word in its singular form shall be construed to include within its meaning its plural form as well, and vice versa; (3) the use of the masculine gender shall include the feminine and vice versa; and (4) the use of a verb in any tense or voice shall be construed as the use of that verb in all other tenses and voices.

12. As used herein,

a. “ADA” means the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, and its implementing regulations.

b. “Black Hills Stage Lines, Inc.” refers to an OTRB company, incorporated in the State of Nebraska, with its principal place of business located at 720 East Norfolk Avenue, Norfolk, Nebraska 68701 and registered to do business in the state of Nebraska.

c. “Busco” or “You” refers to Defendant Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines, any entities Busco operates under a different name, Busco’s parent and subsidiary companies, and its employees, officers and/or directors.

d. “Federal financial assistance” refers to any and all funding received from the federal government or any federal governmental agency within the meaning of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794.

e. “OTRB” means over-the-road bus as defined in 49 C.F.R. § 37.3.

13. If, in answering any of these Interrogatories or Document Requests, you encounter

any ambiguity in construing either the Interrogatory or Document Request or a definition or instruction relevant thereto, set forth the matter deemed ambiguous and the construction selected or used in answering the Interrogatory or Document Request.

14. If you withhold any information called for by any Interrogatory or Document Request based upon a claim of privilege, provide the information and/or documents as to which you do not claim privilege, and for any information and/or documents as to which you claim privilege, describe and identify: (1) the subject matter of the information withheld; (2) the privilege claimed; (3) in the case of a document, the author(s), addressees, and recipients of the document and each person who has or has had possession, custody or control of any copy of the document; (4) in the case of an oral communication, all participants in the communication and all those present during the communication; and (5) the number of the Interrogatory to which the information is responsive.

15. If no date is specified, these Interrogatories and Document Requests are to be interpreted to request information from January 1, 2000, to the present.

16. If you object to any of the discovery requests below on the grounds that it is overly broad or burdensome, state the reasons for this objection and produce such information or documents as you believe would not be objectionable to produce.

17. If you believe you already have provided documents responsive to a document request below, identify the documents with specificity.

18. If you provide documents with Bates labels or other numbering, in your response to these discovery requests, please identify by number which documents are responsive to which

discovery request.

Interrogatories

1. Identify, on annual basis, all federal financial assistance you or Black Hills Stage Lines, Inc., received from the year 2000 until the present.

2. Identify each and every parent company and subsidiary company for Busco and Black Hills Stage Lines, Inc. and each and every name or entity under which Busco, Inc. Or Black Hills Stage Lines, Inc. Operates or does business.

3. Identify the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, Arrow Stage Lines and Black Hills Stage Lines, Inc.

4. Identify all communications between Busco or Black Hills Stage Lines, Inc. and the Plaintiffs.

5. Identify all policies, practices and procedures relating to the provision of your or Black Hills Stage Lines, Inc.'s OTRB service to individuals with mobility impairments.

6. State the number of buses for use in your or Black Hills Stage Lines, Inc.'s OTRB fixed route services that you purchased, remanufactured or leased since October 30, 2000, that did not have a lift, and for each such bus, state (i) when it was purchased, leased or remanufactured, and (ii) the reason why it was purchased, leased or remanufactured without a lift.

7. Identify all policies, practices and procedures relating to the maintenance of wheelchair lifts on your or Black Hills Stage Lines, Inc's OTRB fixed route services vehicles.

8. Identify all reasons supporting your affirmative defenses.

Document Requests

Please produce:

1. All documents identified in, or referred to in answering, any Interrogatory.
2. All documents relating to federal financial assistance you or Black Hills Stage Lines, Inc. have received from the year 2000 to the present.
3. All documents showing the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, Arrow Stage Lines and Black Hills Stage Lines, Inc.
4. All documents identified in your Rule 26(a)(1) Disclosures.
5. All documents relating to communications between you or Black Hills Stage Lines, Inc. and Plaintiffs.
6. All documents relating to requests by Plaintiffs to reserve accessible buses.
7. All documents relating to training provided by you or Black Hills Stage Lines, Inc.'s to employees regarding ADA compliance and the treatment of passengers with disabilities.
8. All documents relating to the reservation of accessible buses on your or Black Hills Stage Lines, Inc.'s OTRB fixed route services.
9. All documents relating to the maintenance, service or repair of wheelchair lifts for buses used by Plaintiffs.
10. All documents relating to the acquisition of accessible buses for your or Black Hills Stage Lines, Inc.'s OTRB fixed route services.

11. All documents relating to the number of buses that you purchased, remanufactured or leased for your or Black Hills Stage Lines, Inc.'s OTRB fixed route service since October 30, 2000, that did not have a wheelchair lift.

12. All Service Request Forms for the past five years, as well as summaries of such forms submitted by you or Black Hills Stage Lines, Inc. to the Department of Transportation pursuant to 49 C.F.R. § 37.213(a)(4).

13. For the last five years, the annual reports submitted to the Department of Transportation by you or Black Hills Stage Lines, Inc. showing how many passengers with disabilities used the lift to board accessible buses, and data pertaining to forty-eight hour advance reservation service and other service as required by 49 C.F.R. § 37.213(c)(2).

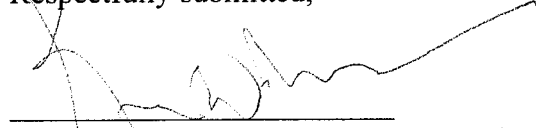
14. All reports submitted to the Department of Transportation since January 1, 2001 pursuant to 49 C.F.R. § 37.213(d)(2) by you or Black Hills Stage Lines, Inc. listing the number of new buses and used buses purchased or leased during the preceding year, how many buses in each category are accessible, and the total number of buses in your fleet.

15. All documents showing Black Hills Stage Lines, Inc. is registered or licensed to do business in Colorado.

16. All documents relating to your affirmative defenses.

Dated: March 10, 2008

Respectfully submitted,



Kevin W. Williams, Legal Program Director
Carrie Ann Lucas, CRPD Director
Colorado Cross Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Telephone: (303) 839-1775
Facsimile: (303) 839-1782
E-mail: kwilliams@ccdconline.org
E-mail: clucas@ccdconline.org

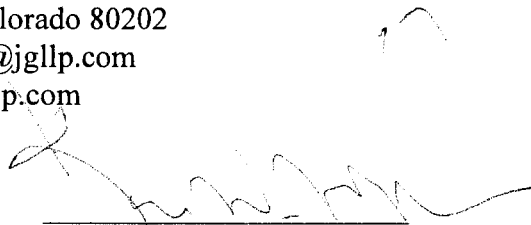
Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 - 16th Street, Suite 610
Denver, CO 80202
Telephone: (303) 595-9700
Facsimile: (303) 595-9705
E-mail: tfox@foxrob.com
E-mail: arob@foxrob.com

Attorneys for Plaintiffs

Certificate of Service

I hereby certify that on March 10, 2008, a copy Plaintiffs' First Set of Discovery to Defendant Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines was served by electronic mail and first-class mail, postage pre-paid, on:

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
mkrzystek@jgllp.com
jjester@jgllp.com



Kevin W. Williams
Legal Program Director
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Voice: 303.839.1775
TTY: 303.839.0015
Facsimile: 303.839.1782
E-mail: kwilliams@ccdconline.org

Exhibit K

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAIN A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY TO DEFENDANT BLACK
HILLS STAGE LINES, INC.**

Plaintiffs, by and through their attorneys, Colorado Cross-Disability Coalition Legal Program, and Fox & Robertson, P.C., do hereby serve there their First Set of Discovery to Defendant, Black Hills Stage Lines, Inc., pursuant to Federal Rules of Civil Procedure 33 and 34. The responses to these discovery requests are due thirty (30) days from the date of service.

Definitions and Instructions

1. These Interrogatories and Document Requests are continuing in character. You

are requested to file supplementary answers promptly whenever you obtain further or different information responsive to these Interrogatories and Document Requests. Should you be unable to respond to any Interrogatory or Document Request or portion thereof at this time, you should respond promptly when you are able to provide any responsive information.

2. A request to “identify” a person means to state, to the extent known to you, the full name, any nicknames of which you are aware, all present or last known addresses, all present or last known telephone numbers, employer, occupation and job title of such person.

3. A request to “identify” any other entity means to state, to the extent known to you, the full name of such entity, the address of its principal place of business, the nature of its business, its telephone number, and the names of its principals.

4. A request to “identify” a document or other written communication means to state, to the extent known to you, the date, all author(s), all addressee(s), all recipients(s), title, subject matter, content, purpose, and present custodian or location of the document or written communication in question and, in the case of a computer or electronic document, the software and hardware in which it is stored.

5. A request to “identify” any non-written communication means to identify the natural person(s) making and receiving the communication and all persons present for the communication, and to state their respective principals or employers at the time of the communication, the date, time, manner and place of the communication, and the substance of the communication.

6. A request to “identify” an action or conduct means to describe the action or

conduct, identify all natural person(s) who were involved in or had knowledge of the conduct and to state their respective principals or employers at the time of the action or conduct, and provide the date, time, manner and place of the action or conduct.

7. As used herein, the term “documents” means all documents to which Plaintiff is entitled under Rule 34 of the Federal Rules of Civil Procedure in your possession, custody or control, including data accessible through any electronic data processing system, and any written, printed, typed, drawn, punched, graphic or photographic matter of any kind or nature, however produced or reproduced, including nonidentical copies thereof.

8. As used herein, “communication” includes conversations, meetings, telephone calls, electronic mail and all other methods and media by which words are conveyed from one person to one or more others.

9. As used herein, “representative” includes, but is not limited to, employees, agents, officers, directors and attorneys. You are requested to furnish information that is within your possession, custody or control as well as any such information within the possession, custody or control of any individual or entity who is your representative.

10. As used herein, a document or statement “relating to” a given subject matter means a document or statement that constitutes, embodies, comprises, reflects, identifies, states, refers to, deals with, comments on, responds to, describes, analyzes, contains information concerning, or is in any way pertinent to that subject matter.

11. Wherever it is necessary to bring within the scope of these Interrogatories and Document Requests information or documents that otherwise might be construed to be outside

their scope, (1) the use of “and” as well as “or” shall be construed both disjunctively and conjunctively; (2) the use of a word in its singular form shall be construed to include within its meaning its plural form as well, and vice versa; (3) the use of the masculine gender shall include the feminine and vice versa; and (4) the use of a verb in any tense or voice shall be construed as the use of that verb in all other tenses and voices.

12. As used herein,

a. “ADA” means the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, and its implementing regulations.

b. “Black Hills” or “You” refers to Black Hills Stage Lines, Inc., an OTRB company, incorporated in the State of Nebraska, with its principal place of business located at 720 East Norfolk Avenue, Norfolk, Nebraska 68701, its parent and subsidiary companies, and its employees, officers and/or directors.

c. “Busco” refers to Defendant Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines, any entities Busco operates under a different name, its parent and subsidiary companies, and its employees, officers and/or directors.

d. “Federal financial assistance” refers to any and all funding received from the federal government or any federal governmental agency within the meaning of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794.

e. “OTRB” means over-the-road bus.

13. If, in answering any of these Interrogatories or Document Requests, you encounter any ambiguity in construing either the Interrogatory or Document Request or a definition or

instruction relevant thereto, set forth the matter deemed ambiguous and the construction selected or used in answering the Interrogatory or Document Request.

14. If you withhold any information called for by any Interrogatory or Document Request based upon a claim of privilege, provide the information and/or documents as to which you do not claim privilege, and for any information and/or documents as to which you claim privilege, describe and identify: (1) the subject matter of the information withheld; (2) the privilege claimed; (3) in the case of a document, the author(s), addressees, and recipients of the document and each person who has or has had possession, custody or control of any copy of the document; (4) in the case of an oral communication, all participants in the communication and all those present during the communication; and (5) the number of the Interrogatory to which the information is responsive.

15. If no date is specified, these Interrogatories and Document Requests are to be interpreted to request information from January 1, 2000, to the present.

16. If you object to any of the discovery requests below on the grounds that it is overly broad or burdensome, state the reasons for this objection and produce such information or documents as you believe would not be objectionable to produce.

17. If you believe you already have provided documents responsive to a document request below, identify the documents with specificity.

18. If you provide documents with Bates labels or other numbering, in your response to these discovery requests, please identify by number which documents are responsive to which discovery request.

Interrogatories

1. Identify all federal financial assistance you received from the year 2000 until the present.
2. Identify all communications between Black Hills and the Plaintiffs.
3. Identify all policies, practices and procedures relating to the provision of your OTRB service to individuals with mobility impairments.
4. Identify the number of buses for use in your OTRB fixed route services that you purchased, remanufactured or leased since October 30, 2000, that did not have a lift.
5. Identify all policies, practices and procedures relating to the maintenance of wheelchair lifts on your OTRB fixed route services vehicles.
6. Identify the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, and Black Hills Stage Lines, Inc., including, for each company, identifying (1) the employees; (2) the duties and responsibilities of the employees; (3) the stockholders; (4) the level of control Busco employees have over Black Hills employees' actions; (5) the hiring and disciplinary practices and procedures; and (6) the owner/s/lessee/s of office and facility space, equipment and furniture.
7. Identify all reasons supporting your affirmative defenses once your answer to the First Supplemental and Second Amended Complaint is filed.

Document Requests

Please produce:

1. All documents identified in, or referred to in answering, any Interrogatory.

2. All documents relating to federal financial assistance you have received from the year 2000 to the present.

3. All documents showing the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, and Black Hills Stage Lines, Inc.

4. All documents relating to communications between you and Plaintiffs.

5. All documents relating to requests by Plaintiffs to reserve accessible buses.

6. All documents relating to training provided by you to employees regarding ADA compliance and the treatment of passengers with disabilities.

7. All documents relating to the reservation of accessible buses on your OTRB fixed route services.

8. All documents relating to the maintenance, service or repair of wheelchair lifts for your accessible buses.

9. All documents relating to the acquisition of accessible buses for your OTRB fixed route services.

10. All documents relating to the number of buses that you purchased, remanufactured or leased for your OTRB fixed route service since October 30, 2000, that did not have a wheelchair lift.

11. All Service Request Forms for the past five years, as well as summaries of such forms submitted to the Department of Transportation pursuant to 49 C.F.R. § 37.213(a)(4).

12. For the last five years, the annual reports submitted to Department of

Transportation showing how many passengers with disabilities used the lift to board accessible buses, and data pertaining to forty-eight hour advance reservation service and other service as required by 49 C.F.R. § 37.213(c)(2).

13. All reports submitted to the Department of Transportation since January 1, 2001 pursuant to 49 C.F.R. § 37.213(d)(2) listing the number of new buses and used buses purchased or leased during the preceding year, how many buses in each category are accessible, and the total number of buses in your fleet.

14. All accounting records for Busco and Black Hills for the last two years, including tax returns, balance statements, and billing statements.

15. All documents pertaining to employee benefits programs for Busco and Black Hills.

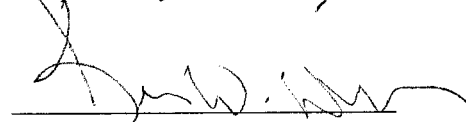
16. All payroll records for Busco and Black Hills.

17. All leases, receipts and/or deeds for Busco and Black Hills for office space, bus maintenance facilities, furniture, and equipment (including buses).

18. All documents relating to your affirmative defenses.

Dated: April 11, 2008

Respectfully submitted,



Kevin W. Williams
Legal Program Director
Carrie Ann Lucas
CRPD Director
Colorado Cross Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Telephone: (303) 839-1775
Facsimile: (303) 839-1782
E-mail: kwilliams@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 - 16th Street, Suite 610
Denver, CO 80202
Telephone: (303) 595-9700
Facsimile: (303) 595-9705
E-mail: tfox@foxrob.com
E-mail: arob@foxrob.com

Attorneys for Plaintiffs

Certificate of Service

I hereby certify that on April 11 2008, a copy Plaintiffs' First Set of Discovery to Defendant Black Hills Stage Lines, Inc. was served by electronic mail and first-class mail, postage pre-paid, on:

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
mkrzystek@jgllp.com
jjester@jgllp.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com



Alexis St. Juliana
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Voice: 303.839.1775
TTY: 303.839.0015
Facsimile: 303.839.1782
E-mail: astjuliana@ccdconline.org

Exhibit L

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**DEFENDANT BUSCO, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF
WRITTEN DISCOVERY**

Defendant Busco, Inc., d/b/a Arrow Stage Lines (hereinafter "Defendant") hereby
responds to Plaintiffs First Set of Written Discovery to Defendant Busco, Inc. d/b/a Arrow Stage
Lines as follows:

GENERAL OBJECTION

Defendant objects to the "Definitions and Instructions" in *Plaintiffs' First Set of Written
Discovery to Defendant Busco, Inc. d/b/a Arrow Stage Lines* to the extent that any definition or
instruction is inconsistent with the Federal Rules of Civil Procedure.

Interrogatories:

INTERROGATORY NO. 1: Identify, on an annual basis, all federal financial assistance you your or Black Hills Stage Lines, Inc., received from the year 2000 until the present.

RESPONSE: Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, Defendant Busco, Inc. received a \$34,994 grant for bus GPS equipment from the Department of Homeland Security in 2006, and a \$298,406 grant awarded, but not yet received, from the Department of Homeland Security for fencing around facilities in 2007.

INTERROGATORY NO. 2: Identify each and every parent company and subsidiary company for Busco and Black Hills Stages Lines, Inc. and each and every name or entity under which Busco, Inc. or Black Hills Stage Lines, Inc. operates or does business.

RESPONSE: Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. Defendant Busco, Inc. has no parent companies and no subsidiaries. Busco, Inc. also operates and does business as (i) Arrow Stage Lines; and (ii) Corporate Transportation 'N Tours (CTnT).

INTERROGATORY NO. 3: Identify the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. Arrow Stage Lines, Arrow Stage Lines and Black Hills Stage Lines, Inc.

RESPONSE: Defendant objects to this Interrogatory insofar as "relationship among entities" is vague, overbroad, undefined, and not subject to reasonable interpretation. That objection notwithstanding, Defendant responds as follows: Busco, Inc. is a Nebraska corporation that owns and leases a fleet of buses and operates a chartered bus business. Black Hills Stage Lines, Inc. leases buses from Busco, Inc. Black Hills Stage Lines, Inc. is the owner the ground beneath the facility

used by Busco, Inc. in Omaha, Nebraska (the land is leased to Doyle Busskhol, who owns the building; Busco, Inc. pays rent to Black Hills Stage Lines, Inc. for use of the land). Arrow Stage Lines is a trade name of Busco, Inc. and not a separate entity.

INTERROGATORY NO. 4: Identify all communications between Busco or Black Hills Stage Lines, Inc. and the Plaintiffs.

RESPONSE: Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, to the best of its knowledge and belief, Defendant has had no communications, either written or oral, with Plaintiffs CCDC, Julie Reiskin, Loraine Johnson, Barbara Moczygemba. Defendant, through its bus driver, may have communicated with Plaintiff Eileen Hope Krause.

INTERROGATORY NO. 5: Identify all policies, practices and procedures relating to the provision of your or Black Hills Stage Lines, Inc.'s OTRB service to individuals with mobility impairments.

RESPONSE: Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, pursuant to Fed.R.Civ.P. 33(d), documents responsive to Interrogatory No. 5 have previously been provided to Plaintiffs. See BUSCO001-005; BUSCO008 – 009; BUSCO015 – 051; BUSCO053; BUSCO056.

INTERROGATORY NO. 6: State the number of buses for use in your or Black Hills Stage Lines, Inc.'s OTRB fixed route services that you purchased, re-manufactured or leased since October 30, 2000, that did not have a lift, and for each such bus, state (i) when it was purchased, leased or re-manufactured, and (ii) the reason why it was purchased, leased or re-manufactured without a lift.

RESPONSE: Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, Busco, Inc. provides buses when requested to Black Hills Stage Lines, Inc. for use in Black Hills Stage Lines, Inc.'s OTRB fixed route operations. Busco, Inc. has eight (8) lift equipped buses in its fleet, some or all of which are available to Black Hills Stage Lines, Inc. in connection with Black Hills Stage Lines, Inc.'s OTRB operations. Busco, Inc. has purchased only one (1) bus since October 30, 2000 specifically for Black Hills Stage Lines, Inc.'s OTRB operations; that bus was purchased in December of 2007, was placed in service in January 2008, and it is lift equipped. Busco, Inc. has no OTRB fixed route operations.

INTERROGATORY NO. 7: Identify all policies, practices and procedures relating to the maintenance of wheelchair lifts on your or Black Hills Stage Lines, Inc.'s OTRB fixed route services vehicles.

RESPONSE: Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, Defendant responds as follows: Defendant has no OTRB fixed route services. Pursuant to Fed.R.Civ.P. 33(d), documents responsive to Interrogatory No. 7 have previously been provided to Plaintiffs. See BUSCO001-005; BUSCO014 – 016; BUSCO050 – 051; BUSCO056.

INTERROGATORY NO. 8: Identify all reasons supporting your affirmative defenses.

RESPONSE: Defendant objects to this Interrogatory insofar as no answer to Plaintiffs' First Supplemental and Second Amended Complaint has been filed, and Defendant will not answer a hypothetical question.

Document Requests

REQUEST NO. 1: All documents identified in, or referred to in answering, any Interrogatory.

RESPONSE: Produced. Responsive documents are identified in the response to each interrogatory.

REQUEST NO. 2: All documents relating to federal financial assistance you or Black Hills Stage Lines, Inc. have received from the year 2000 to the present.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. Defendant further objects to this request as “all documents relating to federal financial assistance” is overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence as Defendant has admitted receiving federal financial assistance.

REQUEST NO. 3: All documents showing the relationship among entities known as or doing business as Busco, Inc., Busco, Inc., d/b/a Arrow Stage Lines, Arrow Stage Lines and Black Hills Lines, Inc.

RESPONSE: Defendant has no responsive documents.

REQUEST NO. 4: All documents identified in your Rule 26(a)(1) Disclosures.

RESPONSE: All responsive documents were previously produced with Defendant’s Rule 26(a)(1) Disclosures.

REQUEST NO. 5: All documents relating to communications between you or Black Hills Stage Lines, Inc. and Plaintiffs.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, Defendant has no responsive documents.

REQUEST NO. 6: All documents relating to requests by Plaintiffs to reserve accessible buses.

RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, all documents relating to the reservation of accessible bus service from Plaintiff Krause, the only plaintiff with allegations against Defendant, are produced. See BUSCO057 – 067.

REQUEST NO. 7: All documents relating to training provided by you or Black Hills Stage Lines, Inc. to employees regarding ADA compliance and the treatment of passengers with disabilities.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, pursuant to Fed.R.Civ.P. 33(d), documents responsive to Request No. 7 have previously been provided to Plaintiffs. See BUSCO001-005; BUSCO008 – 009; BUSCO015 – 051; BUSCO053; BUSCO056.

REQUEST NO. 8: All documents relating to the reservation of accessible buses on your or Black Hills Stage Lines, Inc. OTRB fixed route services.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, Defendant responds as follows: Busco, Inc. has no OTRB fixed route services.

REQUEST NO. 9: All documents relating to the maintenance, service or repair of wheelchair lifts for buses used by Plaintiffs.

RESPONSE: Pursuant to Fed.R.Civ.P. 33(d), documents responsive to Request No. 9 have

previously been provided to Plaintiffs. See BUSCO001-005; BUSCO014 – 016; BUSCO050 – 051; BUSCO056.

REQUEST NO. 10: All documents relating to the acquisition of accessible buses for your or Black Hills Stage Lines, Inc.'s OTRB fixed route services.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. Defendant further objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks documents related to Defendant's chartered bus service, which is not at issue in this litigation. Those objections notwithstanding, Defendant responds as follows: Busco, Inc. has no OTRB fixed route services. Busco, Inc. has purchased only one bus since Oct 30, 2000 specifically for Black Hills Stage Lines, Inc.'s OTRB operations, and it was purchased in December of 2007 and placed in service in January 2008, and it is lift equipped.

REQUEST NO. 11: All documents relating to the number of buses that you purchased, re-manufactured or leased for your or Black Hills Stage Lines, Inc.'s OTRB fixed route service since October 30, 2000, that did not have a wheelchair lift.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That objection notwithstanding, Busco, Inc. responds as follows: Busco, Inc. does not operate any fixed route service. Busco, Inc. did purchase one bus for use exclusively in Black Hills Stage Lines, Inc.'s OTRB operations, which bus was lift equipped.

REQUEST NO. 12: All Service Request Forms for the past five years, as well as summaries of such forms submitted by you or Black Hills Stage Lines, Inc. to the Department of

Transportation pursuant to 49 C.F.R. § 37.213 (a)(4).

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. Defendant further objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks documents unrelated to any claim of Plaintiffs against Defendant in this litigation. Those objections notwithstanding, the following documents are produced: BUSCO057 – 067.

REQUEST NO. 13: For the last five years, the annual reports submitted to the Department of Transportation by you or Black Hills Stage Lines, Inc. showing how many passengers with disabilities used the lift to board accessible buses, and data pertaining to forty-eight hour advance reservation service and other service as required by 49 C.F.R. § 37.213 (c)(2).

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. Defendant further objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks documents unrelated to any claim of Plaintiffs against Defendant in this litigation. Those objections notwithstanding, the following documents are produced: See response to Request No. 12.

REQUEST NO. 14: All reports submitted to the Department of Transportation since January 1, 2001 pursuant to 49 C.F.R. § 37.213 (d)(2) by you or or Black Hills Stage Lines, Inc. listing the number of new buses and used buses purchased or leased during the preceding year, how many buses in each category are accessible, and the total number of buses on your fleet.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. Defendant

further objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence insofar as it seeks documents unrelated to any claim of Plaintiffs against Defendant in this litigation. Those objections notwithstanding, the following documents are produced: See response to Request No. 12.

REQUEST NO. 15: All documents showing Black Hills Stage Lines, Inc. is registered or licensed to do business in Colorado.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc.

REQUEST NO. 16: All documents relating to your affirmative defenses.

RESPONSE: Defendant objects to this request for production insofar as no answer to Plaintiffs' First Supplemental and Second Amended Complaint has been filed, and Defendant therefore has no responsive documents.

Dated this 8th day of May, 2008.

VERIFICATION

I, Steve Busskohl, swear that the facts set forth in the foregoing **DEFENDANT BUSCO, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY** are true and accurate to the best of my knowledge and belief, and that the statements made are based on my personal knowledge.

Steve Busskohl

Subscribed and sworn to before me this _____ day of May, 2008.

Notary Signature

My commission expires on: _____

AS TO OBJECTIONS:

JESTER & GIBSON, LLP



Jay S. Jester
Marcel Krzystek
Jester & Gibson, LLP
1875 Lawrence St., Ste. 740
Denver, CO 80202
Phone: (303) 377-7888
mkrzystek@jgllp.com
Attorneys for Defendant BLACK HILLS
STAGE LINES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2008, a true and correct copy of the foregoing **DEFENDANT BUSCO, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY** was placed in the U.S. Mails, first class and postage prepaid, to the following individuals at the following addresses:

Kevin W. Williams, Esq.
Legal Program Director
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, Colorado 80203
kwilliams@ccdconline.org

Timothy P. Fox, Esq.
Amy F. Robertson, Esq.
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, Colorado 80202
E-mail: tfox@foxrob.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, Colorado 80111
E-mail: lschluter@pjckn.com

Susan Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, P.C.
410 Seventeenth Street, Suite 2200
Denver, Colorado 80202
E-mail: sklopman@bhfs.com

JESTER & GIBSON, LLP



Samantha Lee

Exhibit M

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**DEFENDANT BLACK HILLS STAGE LINES, INC.'S RESPONSES TO PLAINTIFFS'
FIRST SET OF WRITTEN DISCOVERY**

Defendant Black Hills Stage Lines, Inc., (hereinafter "Defendant") hereby responds to
Plaintiffs First Set of Written Discovery to Defendant Black Hills, Inc. as follows:

GENERAL OBJECTION

Defendant objects to the "Definitions and Instructions" in *Plaintiffs' First Set of Written
Discovery to Defendant Black Hills Stage Lines, Inc.* to the extent that any definition or
instruction is inconsistent with the Federal Rules of Civil Procedure.

Interrogatories:

INTERROGATORY NO. 1.: Identify all federal financial assistance you received

from the year 2000 until the present.

RESPONSE: None.

INTERROGATORY NO. 2.: Identify all communications between Black Hills and the Plaintiffs.

RESPONSE: To the best of its knowledge and belief, Defendant has had no communications, either written or oral, with Plaintiffs CCDC, Julie Reiskin, Loraine Johnson, Barbara Moczygemba. Defendant has had communications with Plaintiff Eileen Hope Krause. Specifically, Defendant communicated with Ms. Krause at the time she submitted various service requests, which, based upon Defendant's records took place on February 25, 2008, January 14, 2008, January 12, 2008, November 2, 2007, June 3, 2007, and May 9, 2007. See BUSCO057 – 067. Furthermore, Ms. Krause spoke with an agent of Defendant at the time she purchased her tickets.

INTERROGATORY NO. 3.: Identify all policies, practices and procedures relating to the provision of your OTRB service to individuals with mobility impairments.

RESPONSE: Pursuant to Fed.R.Civ.P. 33(d), documents responsive to Interrogatory No. 3 have previously been provided to Plaintiffs. See BUSCO001-005; BUSCO008 – 009; BUSCO015 – 051; BUSCO053; BUSCO056.

INTERROGATORY NO. 4.: Identify the number of buses for use in your OTRB fixed route services that you purchased, re-manufactured or leased since October 30, 2000, that did not have a lift.

RESPONSE: Defendant has leased buses from Busco, Inc. to provide the scheduled service between Omaha and Denver. Defendant leases two buses at a time, as one bus departs from Omaha while the other departs from Denver at the same time. Defendant does not have knowledge nor any records regarding which buses out of Busco, Inc.'s fleet were provided from time to time throughout

the period in which Black Hills has operated this fixed route, and therefore does not know when the Omaha-Denver route was operated with a lift-equipped bus. As of late 2007, however, one of the buses on the Omaha-Denver route has been operated with a dedicated lift equipped bus purchased in late 2007 and placed in service in early 2008. The other bus may or may not be lift equipped. Accordingly, to the best of the company's knowledge, there is a dedicated lift equipped bus that is utilized for the portion of Omaha-Denver route that transports passengers between Denver and Omaha.

INTERROGATORY NO. 5.: Identify all policies, practices and procedures relating to the maintenance of wheelchair lifts on your OTRB fixed route services vehicles.

RESPONSE: Pursuant to Fed.R.Civ.P. 33(d), documents responsive to Interrogatory No. 5 have previously been provided to Plaintiffs. See BUSCO001-005; BUSCO014 – 016; BUSCO050 – 051; BUSCO056.

INTERROGATORY NO. 6.: Identify the relationship among entities known as or doing business as Busco, Inc., Busco, Inc. d/b/a Busco, Inc. Arrow Stage Lines, and Black Hills Stage Lines, Inc., including, for each company, identifying (1) the employees; (2) the duties and responsibilities of the employees; (3) the stockholders; (4) the level of control Busco employees have over Black Hills employees' actions; (5) the hiring and disciplinary practices and procedures; and (6) the owner/s/lessee/s of office and facility space, equipment and furniture.

RESPONSE: Defendant objects to this Interrogatory insofar as “relationship among entities” and “hiring and disciplinary practices” are vague, overbroad, undefined, and not subject to reasonable interpretation. Furthermore, Defendant objects to this Interrogatory insofar as seeks a response that should be directed to, and answered by, Defendant Busco, Inc. Those objections notwithstanding, Defendant responds as follows: Black Hills Stage Lines, Inc. is a Nebraska corporation that leases buses from Busco, Inc. in order to operate its fixed route service from Denver to Omaha and from Omaha to Denver. Busco, Inc. also provides a bus driver to service the fixed route. Black Hills Stage Lines, Inc.’s stockholders are Doyle Busskohl, Stephen Busskohl, and Dave Busskohl. Black Hills Stage Lines, Inc. has no employees. Black Hills Stage Lines, Inc. is the owner of the ground beneath the facility used by Busco, Inc. in Omaha, Nebraska (the land is leased to Doyle Busskohl, who owns the building; Busco, Inc. pays rent to Black Hills Stage Lines, Inc. for use of the land).

INTERROGATORY NO. 7.: Identify all reasons supporting your affirmative defenses once your answer to the First Supplemental and Second Amended Complaint is filed.

RESPONSE: Defendant objects to this Interrogatory insofar as no answer to Plaintiffs' First Supplemental and Second Amended Complaint has been filed, and Defendant will not answer a hypothetical question.

Document Requests:

REQUEST NO. 1: All documents identified in, or referred to in answering, any Interrogatory.

RESPONSE: Produced. Responsive documents are identified in the response to each interrogatory.

REQUEST NO. 2: All documents relating to federal financial assistance you received from the year 2000 to the present.

RESPONSE: Defendant received no federal financial assistance from the year 2000 to the present and therefore has no responsive documents.

REQUEST NO. 3: All documents showing the relationship among entities known as or doing business as Busco, Inc., Busco, Inc., d/b/a Arrow Stage Lines, and Black Hills Lines, Inc.

RESPONSE: Defendant has no responsive documents.

REQUEST NO. 4: All documents relating to communications between you and Plaintiffs.

RESPONSE: Produced. See BUSCO057 – 067.

REQUEST NO. 5: All documents relating to requests by Plaintiffs to reserve accessible buses.

RESPONSE: Produced. See BUSCO057 – 067.

REQUEST NO. 6: All documents relating to training provided by you to employees regarding ADA compliance and the treatment of passengers with disabilities.

RESPONSE: Defendant has no responsive documents.

REQUEST NO. 7: All documents relating to the reservation of accessible buses on your OTRB fixed route services.

RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, all documents relating to the reservation of accessible bus service from Plaintiff Krause, the only plaintiff with allegations against Defendant, are produced. See BUSCO057 – 067.

REQUEST NO. 8: All documents relating to the maintenance, service or repair of wheelchair lifts for your accessible buses.

RESPONSE: Defendant has no responsive documents.

REQUEST NO. 9: All documents relating to the acquisition of accessible buses for your OTRB fixed route services.

RESPONSE: Defendant has no responsive documents.

REQUEST NO. 10: All documents relating to the number of buses that you purchased, re-manufactured or leased for your OTRB fixed route service since October 30, 2000, that did not have a wheelchair lift.

RESPONSE: Defendant has no responsive documents.

REQUEST NO. 11: All Service Request Forms for the past five years, as well as summaries of such forms submitted to the Department of Transportation pursuant to 49 C.F.R. §

37.213 (a)(4).

RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, the following documents are produced: BUSCO054; BUSCO068 - 079.

REQUEST NO. 12: For the last five years, the annual reports submitted to the Department of Transportation showing how many passengers with disabilities used the lift to board accessible buses, and data pertaining to forty-eight hour advance reservation service and other service as required by 49 C.F.R. § 37.213 (c)(2).

RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, the following documents are produced: See response to Request No. 11.

REQUEST NO. 13: All reports submitted to the Department of Transportation since January 1, 2001 pursuant to 49 C.F.R. § 37.213 (d)(2) listing the number of new buses and used buses purchased or leased during the preceding year, how many buses in each category are accessible, and the total number of buses on your fleet.

RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, the following documents are produced: See response to Request No. 11.

REQUEST NO 14: All accounting records for Busco and Black Hills for the last two

years, including tax returns, balance statements, and a billing statements.

RESPONSE: Defendant objects to this request for production as vague, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Busco, Inc. That objection notwithstanding, Defendant responds as follows: The following documents are produced: BUSCO 080-183.

REQUEST NO. 15: All documents pertaining to employee benefits programs for Busco and Black Hills.

RESPONSE: Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Busco, Inc. That objection notwithstanding, Defendant responds as follows: Defendant has no responsive documents.

REQUEST NO. 16: All payroll records for Busco and Black Hills.

RESPONSE: Defendant objects to this request for production as vague, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Busco, Inc. That objection notwithstanding, Defendant responds as follows: Black Hills Stage Lines, Inc. has no payroll and therefore no responsive documents.

REQUEST NO. 17: All leases, receipts and/or deeds for Busco and Black Hills for office space, bus maintenance facilities, furniture, and equipment (including buses).

RESPONSE: Defendant objects to this request for production as vague, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Furthermore, Defendant objects to this request for production insofar as seeks a response that should be directed to, and answered by, Defendant Busco, Inc. That objection notwithstanding, documents related to the leases described in response to Interrogatory No. 6 will be made available for copying and inspection at the office of Defendant's counsel upon reasonable notice.

REQUEST NO. 18: All documents relating to your affirmative defenses.

RESPONSE: Defendant objects to this request for production insofar as no answer to Plaintiffs' First Supplemental and Second Amended Complaint has been filed, and Defendant therefore has no responsive documents.

Dated this 8th day of May, 2008.

VERIFICATION

I, Steve Busskohl, swear that the facts set forth in the foregoing **DEFENDANT BLACK HILLS STAGE LINES, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY** are true and accurate to the best of my knowledge and belief, and that the statements made are based on my personal knowledge.

Steve Busskohl

Subscribed and sworn to before me this _____ day of May, 2008.

Notary Signature

My commission expires on: _____

AS TO OBJECTIONS:

JESTER & GIBSON, LLP



Jay S. Jester
Marcel Krzystek
Jester & Gibson, LLP
1875 Lawrence St., Ste. 740
Denver, CO 80202
Phone: (303) 377-7888
mkrzystek@jgllp.com
Attorneys for Defendant BLACK HILLS
STAGE LINES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2008, a true and correct copy of the foregoing **DEFENDANT BLACK HILLS STAGE LINES, INC.'S RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY**, together with the associated identified documents, was placed in the U.S. Mails, first class and postage prepaid, to the following individuals at the following addresses:

Kevin W. Williams, Esq.
Legal Program Director
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, Colorado 80203
kwilliams@ccdconline.org

Timothy P. Fox, Esq.
Amy F. Robertson, Esq.
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, Colorado 80202
E-mail: tfox@foxrob.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, Colorado 80111
E-mail: lschluter@pjckn.com

Susan Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, P.C.
410 Seventeenth Street, Suite 2200
Denver, Colorado 80202
E-mail: sklopman@bhfs.com

JESTER & GIBSON, LLP

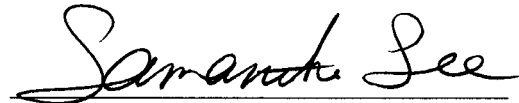
A handwritten signature in black ink, reading "Samantha Lee", is written over a horizontal line.

Exhibit N

COLORADO CROSS-DISABILITY COALITION

655 BROADWAY, SUITE 775, DENVER, COLORADO 80203

(303) 839-1775 VOICE

(303) 839-0015 TTY

(303) 839-1782 Fax

KWILLIAMS@CCDCONLINE.ORG

WWW.CCDCONLINE.ORG

Julie Reiskin, Executive Director
Kevin Williams, Legal Program Director
Carrie Ann Lucas, CRPD Director

March 27, 2008

VIA CERTIFIED MAIL

RETURN RECEIPT REQUESTED

FOIA REQUEST

Federal Motor Carrier Safety Administration

Attn: FOIA, Team MC-MMI

400 7th Street SW

Washington, DC 20590

Re: Greyhound Lines, Inc.
Texas, New Mexico & Oklahoma (TNM&O) Coaches, Inc.
Burlington Stage Lines, Ltd., d/b/a Burlington Trailways
Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines
Black Hills Stage Lines, Inc.

Dear Sir or Madam:

This letter constitutes my request under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"), *et seq.*, and 49 C.F.R. pt. 7, for a copy of all documents in the possession of the Federal Motor Carrier Safety Administration and/or the Federal Transit Administration concerning Greyhound Lines, Inc., Texas, New Mexico & Oklahoma (TNM&O) Coaches, Inc., Burlington Stage Lines, Ltd., d/b/a Burlington Trailways, Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines, and Black Hills Stage Lines, Inc, which were submitted to the Department of Transportation pursuant to 49 C.F.R. § 37.213, or which relate to such submissions since January 1, 2001. A copy of section 37.213 is enclosed.

Pursuant to 49 C.F.R. § 7.14(c)(2), on behalf of the Colorado Cross-Disability Coalition ("CCDC"), I request a waiver of fees. CCDC is a 501(c)(3) non-profit, disability rights education, training and advocacy organization. CCDC's mission and purpose are to eradicate discrimination against people with disabilities in Colorado and beyond. For more information about CCDC, see our web site at www.ccdconline.org. CCDC has approximately 3,500 members statewide in Colorado.

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Pursuant to 49 C.F.R. § 7.4(c)(2)(iii), and addressing the factors for a determination of a fee waiver set forth in 49 C.F.R. § 7.44, I provide the following information:

(1) Whether the subject matter of the requested records concerns the operations or activities of the Federal government;

CCDC seeks records that demonstrate whether the bus companies identified are complying with the requirements of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12101, *et seq.* with respect to reporting of the numbers of accessible buses purchased or leased and other documents relating to the accessibility. CCDC will use this information to disseminate it to its members with disabilities.

(2) Whether the disclosure is likely to contribute to an understanding of Federal government operations or activities;

The Department of Transportation requires over-the-road bus companies to report the requested information to make a determination of whether passengers with disabilities are being provided adequate and appropriate service. CCDC's request will enable CCDC and its members to determine if the information gathering is working properly and will prepare CCDC to address any concerns it or its members may have when the Department makes its determinations regarding continuing the over-the-road bus company regulations or deleting them. *See* 49 C.F.R. § 32.315.

(3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;

CCDC will make its findings available to its statewide membership of over 3,500 members statewide, who are persons with disabilities or friends and family members of persons with disabilities.

(4) Whether the contribution to public understanding of Federal government operations or activities will be significant;

CCDC is Colorado's only statewide disability rights advocacy organization. The views of many Coloradans with disabilities are expressed through CCDC. When CCDC members are given an opportunity to understand whether and how the over-the-road bus regulations are working, they will collectively be able to inform the Department of their concerns and will be afforded a better understanding of what is required of over-the-road bus companies to

Federal Motor Carrier Safety Administration
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ensure their civil rights are protected.

(5) Whether the requestor has a commercial interest that would be furthered by the requested disclosure; and

CCDC is a 501(c)(3) non-profit corporation. As such, the organization has no commercial interest.¹

(6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure that disclosure is primarily in the commercial interest of the requestor.

The potential damages claims in footnote one are insignificant in comparison to the usefulness of the information requested to CCDC and its members as a whole. CCDC strives to ensure ADA compliance. Obtaining the requested information will enable CCDC and its members to ensure that over-the-road bus companies operating in Colorado and used by its members are complying with the ADA.

If the fee waiver request is denied, the fee category in which the requestor claims the request to fall is "commercial use," and the maximum amount of fees that the requestor is willing to pay is \$250.00. If you anticipate that the fees for copying the requested documents will be higher than \$250, please contact me at the above telephone number.

Please note this is the second FOIA request CCDC has made to both of your entities regarding the listed over-the-road bus companies. The first was made on March 14, 2008. CCDC mistakenly did not request a fee waiver in the March 14 letter. Because that request is being processed, CCDC does not seek to request a waiver of fees for the March 14 FOIA request but does request a fee waiver for the request made in this letter.

Thank you for your attention to this matter.

¹ CCDC is a named plaintiff in a lawsuit, however, captioned *Colorado Cross-Disability Coalition, et al. v. Greyhound Lines, Inc., et al.*, Case No. *Colorado Cross-Disability Coalition, et al. v. Greyhound Lines, et al.*, 07-cv-00598-LTB-MEH, in the United States District Court, District of Colorado. CCDC and/or the individual member plaintiffs in the case could receive monetary damages if their claims are successful.

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Sincerely,

A handwritten signature in black ink, appearing to read "Kevin W. Williams", written over a faint horizontal line.

Kevin W. Williams
Legal Program Director

Enclosure

Exhibit O



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

MAY 09 2008

1200 New Jersey Avenue, SE
Washington, DC 20590

Refer to: MC-MMI
Control No. 2008-0506

Mr. Kevin W. Williams
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, Colorado 80203

Dear Mr. Williams:

This is in response to your letter dated March 27, 2008, requesting copies of all annual reports and submissions that the Federal Motor Carrier Safety Administration (FMCSA) has received in the past six years that are in compliance with 49 C.F.R. § 37.213 and the Americans with Disabilities Act (ADA) for the following carriers:

1. Greyhound Lines, Inc. located in Dallas, Texas,
2. Texas, New Mexico & Oklahoma Coaches, Inc. located in Lubbock, Texas,
3. Burlington Stage Lines, LTD. dba Burlington Trailways located in Burlington, Iowa;
4. Busco, Inc. dba Arrow Stage Lines located in Norfolk, Nebraska, and
5. Black Hills Stage Lines, Inc. located in Norfolk, Nebraska.

Please be advised the a search of our Motor Carrier Management Information System (MICMIS) and contact with our Commercial Passenger Carrier Safety Division disclosed that Black Hills Stage Lines, Inc. is inactive in our database and has not submitted any reports to FMCSA.

In accordance with the Freedom of Information Act (FOIA), 5 U.S.C. § 552, we are enclosing, in their entirety, for each of the carriers above, MCMIS printouts of the following:

- The Passenger Carrier ADA Ridership Activity Report as of January 9, 2008;
- The Passenger Carrier ADA Acquisition-Lease Activity Report as of January 9, 2008; and
- The Passenger Carrier ADA Summary of Service Requests Activity Report as of January 9, 2008.

This is all of the information we have which falls within the scope of your request.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Tiffanie C. Coleman', written over a horizontal line.

Tiffanie C. Coleman
FOIA Officer

Enclosures

Exhibit P

COLORADO CROSS-DISABILITY COALITION

655 BROADWAY, SUITE 775, DENVER, COLORADO 80203

(303) 839-1775 VOICE

(303) 839-0015 TTY

(303) 839-1782 Fax

KWILLIAMS@CCDCONLINE.ORG

WWW.CCDCONLINE.ORG

Julie Reiskin, Executive Director
Kevin Williams, Legal Program Director
Carrie Ann Lucas, CRPD Director

May 13, 2008

VIA E-MAIL AND U.S. MAIL

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202

Re: *Colorado Cross-Disability Coalition, et al. v. Greyhound Lines, et al.*
Civil Action No. 07-cv-00598-LTB-MEH

Counsel:

I write pursuant to D.C.COLO.LCivR 7.1(A) in an effort to confer you with respect to deficiencies in your clients' responses to our discovery requests, provided on May 5, 2008. Busco, Inc. ("Busco") and Black Hills Stage Lines, Inc. ("Black Hills") have failed to provide adequate responses pursuant to Federal Rules of Civil Procedure 33 and 34 as more fully explained below. Please also find sent with this letter Plaintiffs' Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6), and Notice of Custodian of Records Deposition for both of your clients.

Interrogatory 4 and RFPs 3, 9 & 17 (Black Hills and Busco): Black Hills has responded that it has leased buses from Busco during times relevant to this litigation; however, Black Hills has not identified with specificity what buses it leased from Busco; nor has it provided any documentation showing leases for the buses used on its fixed route bus service. Please respond with accurate information and responsive documents. You are required to produce copies of the leases for buses and other documents requested in our discovery requests pursuant to Fed. R. Civ. P. 34(b)(2)(E)(I).

Interrogatory 6 and RFPs 1, 3 (Busco) & RFP 17 (Black Hills): Plaintiffs provided specificity as to the meaning of "relationship" in the interrogatory and asked for identification of the following: (1) the employees; (2) the duties and responsibilities of the employees; (3) the stockholders; (4) the level of control Busco employees have over Black Hills employees' actions;

Marcel Krzystek, Esq.
May 13, 2008
Page 2

(5) the hiring and disciplinary practices and procedures; and (6) the owner/s/lessee/s of office and facility space, equipment and furniture. Black Hills must produce documents showing the leasing and arrangements between it and Busco and for the ownership/leasing of equipment and furniture and any documents demonstrating how Black Hills uses Busco drivers for its fixed route service. Such documents are likely to lead to the discovery of admissible evidence. You are required to produce copies of the leases for buses, equipment, offices and furniture as well as for the ownership of the buildings, buses and equipment.

RFPs 11, 12 & 13 (Black Hills): You have provided us with documentation that Busco submitted to the Department of Transportation, ("DOT") but not for Black Hills. Please explain why Black Hills has not submitted these documents to the DOT as required by 49 C.F.R. § 37.213 or has not provided copies to us.

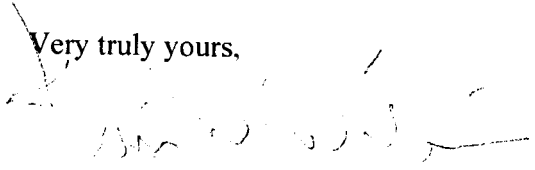
Interrogatory 1 and RFPs 1 & 2 (Busco): Busco has not provided documentation of its response to Interrogatory 1. Documentation demonstrating what grants were received is sufficient.

Interrogatory 4 (Busco): Please identify pursuant to the instruction 4 provided in our discovery requests the referenced communications between Busco's driver and Plaintiff Eileen Hope Krause.

RFPs 10 & 11 (Busco): Please provide us with documentation regarding the purchase of the referenced accessible bus.

Please provide the requested responses and documents on or before May 19, 2008.

Very truly yours,



Kevin W. Williams
Legal Program Director

encl.

c: Fox & Robertson, P.C., via e-mail

Exhibit Q

Jester & Gibson, LLP

May 19, 2008

Kevin W. Williams, Esq.
Legal Program Director
COLORADO CROSS-DISABILITY COALITION
655 Broadway, Suite 775
Denver, CO 80203

Re: CCDC, et al. v. Greyhound Lines, Inc., et al.
District of Colorado Case No. 07-cv-00598-LTB-MEH

Dear Kevin:

I write in response to your letter dated May 13 in which you request Busco and Black Hills to supplement various responses to interrogatories and requests for production.

Interrogatory No. 4 and RFPs 3, 9 & 17 (Busco and Black Hills): With respect to identifying with specificity which buses Black Hills leased from Busco, Black Hills' response to interrogatory No. 4 is complete; Black Hills leases buses from Busco as needed to run the Omaha-Denver route. There are no written leases to produce, and no records indicating which buses from Busco's fleet were provided.

Interrogatory No. 6 and RFPs 1, 3 (Busco) & RFP 17 (Black Hills): Busco's responses to interrogatory No. 6 and RFP No. 3 are responsive. As our discovery responses make clear, Black Hills has no employees, and Busco has no documents setting forth the "relationship" between Busco and Black Hills as you have defined that term. With respect to copies of leases requested in RFP 17 to Black Hills, a copy of such lease is produced in the attached supplemental response. See BUSCO0262-0264.

RFPs 11, 12, & 13 (Black Hills): Black Hills did not submit any DOT reports because the information required by DOT was provided by Busco on Busco's DOT filings. The DOT indicated that it was indifferent as to whether Busco or Black Hills submitted the forms provided that all of the statistics and data were included. It is our understanding that because the primary purpose of the DOT filing is the reporting of newly acquired buses, and because Black Hills did not own or acquire any buses, DOT permitted all of the reporting to be performed by Busco.

Interrogatory 1 and RFPs 1 & 2 (Busco): Busco identified the grants that it received in response to interrogatory No. 1. Without waiving the previously asserted objections, I have made a request upon Busco's counsel to locate any responsive documents. At this time, the only responsive documents in my possession are those that Plaintiffs submitted to us. See OTRB0192

– 0207. Any supplemental documents I receive will be forwarded to you pursuant to our continuing duty to supplement.

Interrogatory 4 (Busco): A supplemental response is produced.

RFPs 10 & 11 (Busco): Without waiving the previously asserted objections, I have made a request upon Busco's counsel to locate any responsive documents. However, it would be helpful if you could provide greater specificity with respect to the type of documents you seek. For example, the purchase may be reflected in bank statements or financial reports, which documents Busco does not intend to disclose if there exists a less intrusive means of providing Plaintiffs with the information they hope to receive from these requests for production.

In addition to the above, please note that we are also supplementing our previous responses to include additional ADA service requests. See BUSCO184 – 0261.

Sincerely,

JESTER & GIBSON, LLP

A handwritten signature in black ink, appearing to read 'MK' or similar, with a stylized flourish at the end.

Marcel Krzystek

Enclosures
Cc: Richard Berkshire

Exhibit R

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAIN A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**DEFENDANT BUSCO, INC.'S FIRST SUPPLEMENTAL RESPONSES TO
PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY**

Defendant Busco, Inc., d/b/a Arrow Stage Lines (hereinafter "Defendant") hereby
responds to Plaintiffs First Set of Written Discovery to Defendant Busco, Inc. d/b/a Arrow Stage
Lines as follows:

Interrogatories:

INTERROGATORY NO. 4: Identify all communications between Busco or Black
Hills Stage Lines, Inc. and the Plaintiffs.

SUPPLEMENTAL RESPONSE: Defendant objects to this Interrogatory insofar as seeks
a response that should be directed to, and answered by, Defendant Black Hills Stage Lines, Inc. That

objection notwithstanding, to the best of its knowledge and belief, Defendant has had no communications, either written or oral, with Plaintiffs CCDC, Julie Reiskin, Loraine Johnson, Barbara Moczygemba. Defendant, through its bus driver Paul Sylvander, communicated with Plaintiff Eileen Hope Krause on February 26, 2008. Although Mr. Sylvander does not have any specific recollection of his communications with Ms. Krause, if any, he does recall having difficulty stowing the lift after the passengers had boarded. As a result, Mr. Sylvander may have made some comments out of frustrations, which comments were not directed to Ms. Krause or any other passenger or individual.

Dated this 19th day of May, 2008.

AS TO OBJECTIONS:

JESTER & GIBSON, LLP



Jay S. Jester

Marcel Krzystek

Jester & Gibson, LLP

1875 Lawrence St., Ste. 740

Denver, CO 80202

Phone: (303) 377-7888

mkrzystek@jgllp.com

Attorneys for Defendant Busco, Inc., d/b/a

Arrow Stage Lines

CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2008, a true and correct copy of the foregoing **DEFENDANT BUSCO, INC.'S FIRST SUPPLEMENTAL RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY** was placed in the U.S. Mails, first class and postage prepaid, to the following individuals at the following addresses:

Kevin W. Williams, Esq.
Legal Program Director
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, Colorado 80203
kwilliams@ccdconline.org

Timothy P. Fox, Esq.
Amy F. Robertson, Esq.
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, Colorado 80202
E-mail: tfox@foxrob.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, Colorado 80111
E-mail: lschluter@pjckn.com

Susan Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, P.C.
410 Seventeenth Street, Suite 2200
Denver, Colorado 80202
E-mail: sklopman@bhfs.com

JESTER & GIBSON, LLP



Exhibit S

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**DEFENDANT BLACK HILLS STAGE LINES, INC.'S FIRST SUPPLEMENTAL
RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY**

Defendant Black Hills Stage Lines, Inc., (hereinafter "Defendant") hereby submits its first supplemental responses to Plaintiffs First Set of Written Discovery to Defendant Black Hills, Inc. as follows:

Interrogatories:

INTERROGATORY NO. 2: Identify all communications between Black Hills and the Plaintiffs.

SUPPLEMENTAL RESPONSE: In addition to those dates identified in Defendant's initial response, Black Hills communicated with Plaintiff Eileen Hope Krause at the time she submitted various service requests, which, based upon Defendant's records took place on February 25, 2008, January 14, 2008, January 12, 2008, November 12, 2007, June 3, 2007, and May 9, 2007. See BUSCO184 – 194. Black Hills communicated with Plaintiff Barbara Moczygemba at the time she submitted various service requests and at the time she purchased tickets, which, based upon Defendant's records took place on February 28, 2008, February 21, 2008, February 5, 2007, and August 2, 2006. See BUSCO202, 203, 207, 208, 240. Black Hills communicated with Plaintiff Julie Reiskin at the time she submitted various service requests and at the time she purchased tickets, which, based upon Defendant's records took place on January 21, 2008, September 19, 2006, September 12, 2006, August 1, 2006, November 17, 2005, and October 17, 2005. See BUSCO206, 236, 237, 241, 254, 258.

Document Requests:

REQUEST NO. 4: All documents relating to communications between you and Plaintiffs.

SUPPLEMENTAL RESPONSE: Produced. See BUSCO184 – 194, 202, 203, 207, 208, 240, 206, 236, 237, 241, 254, 258.

REQUEST NO. 5: All documents relating to requests by Plaintiffs to reserve accessible buses.

SUPPLEMENTAL RESPONSE: Produced. See BUSCO184 – 194, 202, 203, 207, 208, 240, 206, 236, 237, 241, 254, 258.

REQUEST NO. 7: All documents relating to the reservation of accessible buses on your OTRB fixed route services.

SUPPLEMENTAL RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, the following documents are produced: See BUSCO184 – 261.

REQUEST NO. 11: All Service Request Forms for the past five years, as well as summaries of such forms submitted to the Department of Transportation pursuant to 49 C.F.R. § 37.213 (a)(4).

SUPPLEMENTAL RESPONSE: Defendant objects to this request for production as overbroad, unduly burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, the following documents are produced: BUSCO184 – 261.

REQUEST NO. 17: All leases, receipts and/or deeds for Busco and Black Hills for office space, bus maintenance facilities, furniture, and equipment (including buses).

SUPPLEMENTAL RESPONSE: Defendant objects to this request for production as vague, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. That objection notwithstanding, documents related to the leases described in response to Interrogatory No. 6 are produced. See BUSCO262-264.

Dated this 16th day of May, 2008.

JESTER & GIBSON, LLP



Jay S. Jester

Marcel Krzystek

Jester & Gibson, LLP

1875 Lawrence St., Ste. 740

Denver, CO 80202

Phone: (303) 377-7888

mkrzystek@jgllp.com

Attorneys for Defendant BLACK HILLS
STAGE LINES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2008, a true and correct copy of the foregoing
**DEFENDANT BLACK HILLS STAGE LINES, INC.'S FIRST SUPPLEMENTAL
RESPONSES TO PLAINTIFFS' FIRST SET OF WRITTEN DISCOVERY**, together
with the associated identified documents, was placed in the U.S. Mails, first class and postage
prepaid, to the following individuals at the following addresses:

Kevin W. Williams, Esq.
Legal Program Director
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, Colorado 80203
kwilliams@ccdconline.org

Timothy P. Fox, Esq.
Amy F. Robertson, Esq.
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, Colorado 80202
E-mail: tfox@foxrob.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, Colorado 80111
E-mail: lschluter@pjckn.com

Susan Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, P.C.
410 Seventeenth Street, Suite 2200
Denver, Colorado 80202
E-mail: sklopman@bhfs.com

JESTER & GIBSON, LLP

Samantha Lee

Exhibit T

MEMORANDUM OF LEASE

Notice is hereby given that Black Hills Stage Lines, Inc. ("Black Hills") assignee of Busco, Inc. ("Busco") as Lessor, have entered into a Lease with Doyle Busskohl, as Lessee dated May 19, 1994 (the "Lease"), for real estate ("Real Property") described as follows:

Lot 24 and Lot 25, Spring Valley Industrial Park, an Addition to the City of Omaha, Nebraska, as surveyed, platted and recorded.

1. Busco transferred and conveyed the Real Property to Black Hills by Warranty Deed dated January 20, 1995 and recorded February 27, 1995 in Book 1998 at Page 581 of the Deed Records of Douglas County, Nebraska and, in connection with such transfer and conveyance, Busco assigned and Black Hills assumed the Lessor's entire interest under the Lease.

2. The term of the Lease is fifteen (15) years commencing May 1, 1994, subject to one additional renewal term of ten (10) years.

3. The Lease provides for an option given to the Lessee, to purchase the Real Property from the Lessor, provided that the option is exercised within the time and manner set forth in the Lease.

4. This memorandum is executed and is to be recorded in the Office of the Register of Deeds of Douglas County, Nebraska, solely for the purpose of providing record notification of the existence of said Lease and option to purchase the Real Property.

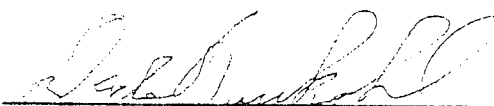
5. Nothing herein contained shall be construed to amend, modify or in any other way affect the terms, conditions and provisions of the Lease as therein set forth, all of which is ratified and confirmed by the parties hereto and to which reference is made for complete exposition of the same.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease this 25th day of July, 1996.

BLACK HILLS STAGE LINES, INC., Lessor

By: 

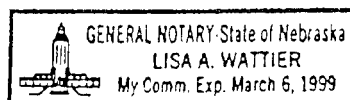
Its: President



Doyle Busskohl, Lessee

STATE OF NEBRASKA)
) ss.
COUNTY OF MADISON)

On this 25th day of July, 1996, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Steve Busskohl, to me personally known, who being by me duly sworn, did say that he is the President of Black Hills Stage Lines, Inc., and acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and him voluntarily executed.

WITNESS my hand and notarial seal the day and year first above written.

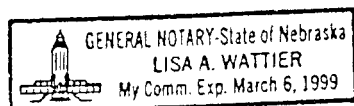




Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF MADISON)

On this 25th day of July, 1996, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Doyle Busskohl, to me known to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal the day and year first above written.




Notary Public

BUSCO 263

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT is made and entered into the 25th day of July, 1995, by and between Busco, Inc., a Nebraska corporation ("Busco") and Black Hills Stage Lines, Inc., a Nebraska corporation ("Black Hills").

WITNESSETH:

WHEREAS, on this date, Busco has transferred and conveyed to Black Hills the property known as Lot 24 and Lot 25, Spring Valley Industrial Park, an Addition to the City of Omaha, Nebraska, as surveyed, platted and recorded (the "Property");

WHEREAS, the Property is currently encumbered by a Lease dated May 19, 1994 under which Busco is the Lessor and Doyle Busskohl is the Lessee (the "Lease"); and

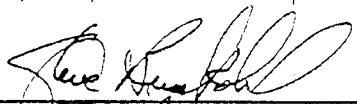
WHEREAS, as part of the conveyance of the Property, Busco desires to assign and Black Hills desires to assume the Lease.

NOW, THEREFORE, in consideration of the above premises and the consideration for the conveyance of the Property by Busco to Black Hills, the parties agree as follows:

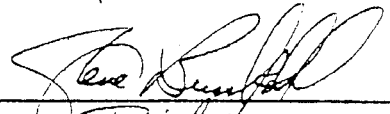
1. Busco hereby assigns, conveys and transfers to Black Hills all right, title and interest of Busco in and to the Lease.
2. Black Hills hereby accepts the assignment of the Lease from Busco and assumes all obligations of the Lessor under the Lease.

IN WITNESS WHEREOF, the parties have executed this Assignment and Assumption Agreement the date and year first above written.

BUSCO, INC., a Nebraska corporation

By: 
Its: President

BLACK HILLS STAGE LINES, INC., a
Nebraska corporation

By: 
Its: President

BUSCO 264

Exhibit U

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN,
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., d/b/a BURLINGTON TRAILWAYS, an Iowa limited
liability company, and
TEXAS, NEW MEXICO and OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC. d/b/a BUSCO, INC., ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**NOTICE OF CUSTODIAN OF RECORDS DEPOSITION OF BLACK HILLS STAGE
LINES, INC. PURSUANT TO FED. R. CIV. P. 30(b)(6) FOR PURPOSES OF
IDENTIFYING CLASSES OF RECORDS MAINTAINED**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs, by and through their attorneys, Kevin W. Williams and Carrie Ann Lucas of the Colorado Cross-Disability Coalition and Fox & Robertson, P.C., will take the deposition upon oral examination of the records custodian or custodians representing Black Hills Stage Lines, Inc. ("Black Hills") most knowledgeable on the topics listed below:

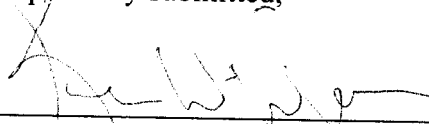
TOPICS

1. Records kept or maintained, by Black Hills regarding leases and contracts with Busco, Inc., including, without limitation, leases or contracts for buses, equipment, offices, and furniture, and records retention and destruction policies for such records.
2. Records kept or maintained by Black Hills, regarding the acquisition of vehicles for use by or to be leased by Black Hills, and records retention and destruction policies for such records.
3. Records kept and maintained by Black Hills for accounting purposes, including, without limitation, tax returns, balance statements, and billing statements.
4. Records kept or maintained regarding federal financial assistance received by Black Hills for the past three years, and records retention and destruction policies for such records.
5. Records kept or maintained by Black Hills regarding documents submitted to the Federal Motor Carriers Safety Administration for the past five years pursuant to 49 C.F.R. § 37.213, and records retention and destruction policies for such records.
6. Records kept or maintained by Black Hills identifying (1) its employees; (2) the duties and responsibilities of the employees; (3) its stockholders; (4) the level of control Busco, Inc. employees have over Black Hills employees' actions; (5) its hiring and disciplinary practices and procedures; and (6) the owner/s/lessee/s of office and facility space, equipment and furniture; and records retention and destruction policies for such records.

This deposition will be taken before a notary public or other person authorized to

administer oaths on May 23, 2008 at 2:00 p.m. The above deposition will take place at Fox & Robertson, PC, 910 16th Street, Suite 610, Denver, CO 80202.

Respectfully submitted,



Kevin W. Williams
Carrie Ann Lucas
655 Broadway, Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
clucas@ccdconline.org
kwilliams@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, CO 80204
303.595.9700 (voice)
303.595.9705 (fax)
tfox@foxrob.com
arob@foxrob.com

Dated: May 13, 2008

Attorneys for Plaintiffs

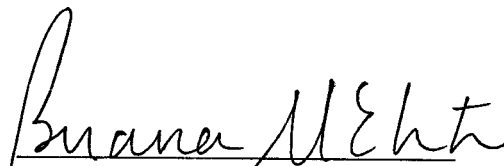
Certificate of Service

I hereby certify that on May 13, 2008, I served the foregoing via U.S. Mail, postage prepaid and electronic mail to:

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
mkrzystek@jgllp.com
jjester@jgllp.com

A handwritten signature in cursive script, appearing to read "Briana McCarten", written over a horizontal line.

Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway
Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
bmccarten@ccdconline.org

Exhibit V

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN,
LORAIN A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., d/b/a BURLINGTON TRAILWAYS, an Iowa limited
liability company, and
TEXAS, NEW MEXICO and OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC. d/b/a BUSCO, INC., ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska Corporation,

Defendants.

NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(b)(6)

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs, by and through their attorneys, Kevin W. Williams and Carrie Ann Lucas of the Colorado Cross-Disability Coalition, and Fox & Robertson, P.C., will take the deposition upon oral examination of the person or persons representing Black Hills Stage Lines, Inc. ("Black Hills") most knowledgeable on the topics listed below.

TOPICS

1. Federal financial assistance received by Black Hills.

2. Black Hills' submission of documents to the Federal Motor Carriers Safety

Administration pursuant to 49 C.F.R. § 37.213.

3. The methods of acquiring and leasing accessible buses by Black Hills.

4. Wheelchair lift maintenance and service provided by Black Hills for the past five years.

5. Customer complaints brought by passengers with disabilities regarding accessibility of Black Hills' bus services for the past five years.

6. Black Hills' current and past policies, practices and procedures for reserving and providing accessible buses.

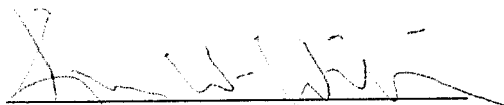
7. Black Hills' current and past policies, practices and procedures for notifying other over-the-road bus companies of requests for accessible buses.

8. Black Hills' current and past training policies, practices and procedures regarding transportation of passengers with disabilities.

9. All contractual or other arrangements or relationships between Busco and Black Hills, including without limitation bus leases and use of Busco employees for Black Hill tasks.

This deposition will be taken before a notary public or other person authorized to administer oaths on May 29, 2008 at 9:00 a.m. The above deposition will take place at Fox & Robertson, PC, 910 16th Street, Suite 610, Denver, CO 80202.

Respectfully submitted,



Kevin W. Williams
Carrie Ann Lucas
655 Broadway, Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
clucas@ccdconline.org
kwilliams@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, CO 80204
303.595.9700 (voice)
303.595.9705 (fax)
tfox@foxrob.com
arob@foxrob.com

Dated: May 13, 2008

Attorneys for Plaintiffs

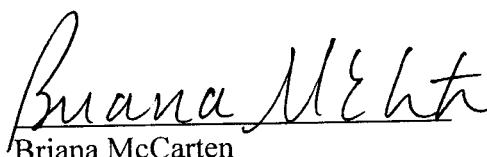
Certificate of Service

I hereby certify that on May 13, 2008, I served the foregoing via First Class Mail Postage Prepaid and Electronic Mail to:

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
mkrzystek@jgllp.com
jjester@jgllp.com



Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway
Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
bmcarten@ccdconline.org

Exhibit W

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN,
LORAIN A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., d/b/a BURLINGTON TRAILWAYS, an Iowa limited
liability company, and
TEXAS, NEW MEXICO and OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC. d/b/a BUSCO, INC., ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation,

Defendants.

**NOTICE OF CUSTODIAN OF RECORDS DEPOSITION OF BUSCO, INC. PURSUANT
TO FED. R. CIV. P. 30(b)(6) FOR PURPOSES OF
IDENTIFYING CLASSES OF RECORDS MAINTAINED**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs, by and through their attorneys, Kevin W. Williams and Carrie Ann Lucas of the Colorado Cross-Disability Coalition and Fox & Robertson, P.C., will take the deposition upon oral examination of the records custodian or custodians representing Busco, Inc. most knowledgeable on the topics listed below:


TOPICS

1. Records kept or maintained, by Busco, Inc. regarding leases and contracts with Black Hills Stage Lines, Inc., including, without limitation, leases or contracts for buses, equipment, offices, and furniture, and records retention and destruction policies for such records.
2. Records kept or maintained by Busco, Inc., regarding the acquisition of vehicles for use by or to be leased by Black Hills Stage Lines, Inc., and records retention and destruction policies for such records.
3. Records kept and maintained by Busco, Inc. for accounting purposes, including, without limitation, tax returns, balance statements, and billing statements.
4. Records kept or maintained regarding federal financial assistance received by Busco, Inc. the past three years, and records retention and destruction policies for such records.
5. Records kept or maintained by Busco, Inc. regarding documents submitted to the Federal Motor Carriers Safety Administration for the past five years pursuant to 49 C.F.R. § 37.213, and records retention and destruction policies for such records.
6. Records kept or maintained by Busco, Inc. identifying (1) its employees; (2) the duties and responsibilities of the employees; (3) its stockholders; (4) the level of control Busco employees have over Black Hills employees' actions; (5) its hiring and disciplinary practices and procedures; and (6) the owner/s/lessee/s of office and facility space, equipment and furniture; and records retention and destruction policies for such records.

This deposition will be taken before a notary public or other person authorized to administer oaths on May 23, 2008 at 11:00 a.m. The above deposition will take place at Fox &

Robertson, PC, 910 16th Street, Suite 610, Denver, CO 80202.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Kevin W. Williams", is written over a horizontal line.

Kevin W. Williams
Carrie Ann Lucas
655 Broadway, Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
clucas@ccdconline.org
kwilliams@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, CO 80204
303.595.9700 (voice)
303.595.9705 (fax)
tfox@foxrob.com
arob@foxrob.com

Dated: May 13, 2008

Attorneys for Plaintiffs

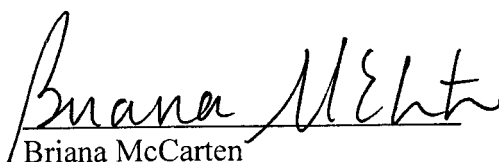
Certificate of Service

I hereby certify that on May 13, 2008, I served the foregoing via U.S. Mail, postage prepaid and electronic mail to:

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
mkrzystek@jgllp.com
jjester@jgllp.com



Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway
Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
bmccarten@ccdconline.org

Exhibit X

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN,
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., d/b/a BURLINGTON TRAILWAYS, an Iowa limited
liability company, and
TEXAS, NEW MEXICO and OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC. d/b/a BUSCO, INC., ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska Corporation,

Defendants.

NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(b)(6)

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs, by and through their attorneys, Kevin W. Williams and Carrie Ann Lucas of the Colorado Cross-Disability Coalition, and Fox & Robertson, P.C., will take the deposition upon oral examination of the person or persons representing Busco, Inc. most knowledgeable on the topics listed below.

TOPICS

1. Federal financial assistance received by Busco, Inc.
2. Busco, Inc.'s submission of documents to the Federal Motor Carriers Safety

Administration pursuant to 49 C.F.R. § 37.213.

3. The methods of acquiring and leasing accessible buses by Busco, Inc.
4. Wheelchair lift maintenance and service provided by Busco, Inc. for the past five years.

5. Customer complaints brought by passengers with disabilities regarding accessibility of Busco, Inc.'s bus services for the past five years.

6. Busco, Inc.'s current and past policies, practices and procedures for reserving and providing accessible buses.

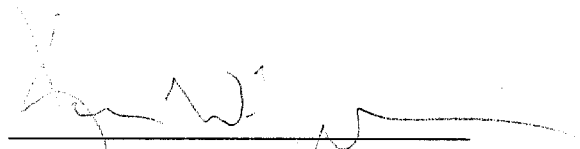
7. Busco, Inc.'s current and past policies, practices and procedures for notifying other over-the-road bus companies of requests for accessible buses.

8. Busco, Inc.'s current and past training policies, practices and procedures regarding transportation of passengers with disabilities.

9. All contractual or other arrangements or relationships between Busco and Black Hills, including without limitation bus leases and use of Busco employees for Black Hill tasks.

This deposition will be taken before a notary public or other person authorized to administer oaths on May 30, 2008 at 1:00 p.m.. The above deposition will take place at Fox & Robertson, PC, 910 16th Street, Suite 610, Denver, CO 80202.

Respectfully submitted,



Kevin W. Williams
Carrie Ann Lucas
655 Broadway, Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
kwilliams@ccdconline.org
clucas@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 16th Street, Suite 610
Denver, CO 80204
303.595.9700 (voice)
303.595.9705 (fax)
tfox@foxrob.com
arob@foxrob.com

Dated: May 13, 2008

Attorneys for Plaintiffs

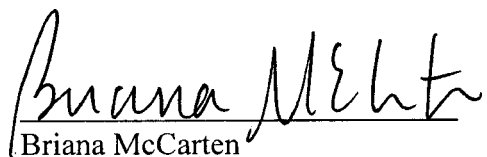
Certificate of Service

I hereby certify that on May 13, 2008, I served the foregoing via U.S. Mail, postage prepaid and electronic mail to:

Susan P. Klopman, Esq.
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410 17th Street, 22nd Floor
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sklopman@bhfs.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Marcel Krzystek, Esq.
Jay S. Jester, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
mkrzystek@jgllp.com
jjester@jgllp.com

A handwritten signature in black ink, appearing to read "Briana McCarten", is written over a horizontal line.

Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway
Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
bmcarten@ccdconline.org

Exhibit Y

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAINA A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation.

Defendants.

**PLAINTIFFS' SECOND SET OF WRITTEN DISCOVERY TO DEFENDANT BUSCO,
INC., d/b/a BUSCO, INC. ARROW STAGE LINES**

Plaintiffs, by and through their attorneys, Kevin W. Williams and Fox & Robertson, P.C.,
do hereby serve there their Second Set of Discovery to Defendant, Busco, Inc., d/b/a Busco, Inc.
Arrow Stage Lines, pursuant to Federal Rules of Civil Procedure 33 and 34. The responses to
these discovery requests are due thirty (30) days from the date of service.

Definitions and Instructions

The Definitions and Instructions provided in Plaintiffs' First Set of Written Discovery Requests to Defendant Busco, Inc. Are incorporated herein. Please continue to provide all documents used in answering any interrogatory pursuant to Request for Production of Documents 1.

Interrogatories

9. Identify all accounting records regarding all federal financial assistance You have received from the year 2005 until the present and how such federal financial assistance was used, including, without limitation, whether the item/s or service/s for which the assistance was used were also provided to or used by Black Hills.

Document Requests

Please produce:

19. All accounting records and documents for Busco for the last three years, including tax returns, balance statements, billing statements, including, without limitation, records of how any federal financial assistance was received and spent.

20. All documents, including leases, for any bus owned, operated or leased by Busco and used by Black Hills for the last three years.

21. All correspondence between Busco and the Department of Transportation and/or any of its divisions and the Department of Homeland Security, regarding the provision of bus service for individuals with disabilities and applications for and receipt of federal financial assistance.

Dated: March 27, 2008

Respectfully submitted,

s/ Kevin W. Williams

Kevin W. Williams, Legal Program Director
Carrie Ann Lucas, CRPD Director
Colorado Cross Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Telephone: (303) 839-1775
Facsimile: (303) 839-1782
E-mail: kwilliams@ccdconline.org
E-mail: clucas@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 - 16th Street, Suite 610
Denver, CO 80202
Telephone: (303) 595-9700
Facsimile: (303) 595-9705
E-mail: tfox@foxrob.com
E-mail: arob@foxrob.com

Attorneys for Plaintiffs

Certificate of Service

I hereby certify that on May 27, 2008, a copy Plaintiffs' Second Set of Discovery to Defendant Busco, Inc., d/b/a Busco, Inc. Arrow Stage Lines was served by electronic mail and first-class mail, postage pre-paid, on:

Jay S. Jester, Esq.
Marcel Krzystek, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
jjester@jgllp.com
mkrzystek@jgllp.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com

s/ Briana McCarten
Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
bmcarten@ccdconline.org

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00598-LTB-MEH

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
JULIE REISKIN, and
LORAIN A. JOHNSON,
BARBARA MOCZYGEMBA, and
EILEEN HOPE KRAUSE,

Plaintiffs,

v.

GREYHOUND LINES, INC., a Delaware corporation,
BURLINGTON STAGE LINES, LTD., D/B/A BURLINGTON TRAILWAYS, an Iowa limited
liability company,
TEXAS, NEW MEXICO AND OKLAHOMA (TNM&O) COACHES, INC., a Delaware
corporation,
BUSCO, INC., d/b/a BUSCO, INC. ARROW STAGE LINES, a Nebraska corporation, and
BLACK HILLS STAGE LINES, INC., a Nebraska corporation.

Defendants.

**PLAINTIFFS' SECOND SET OF WRITTEN DISCOVERY TO DEFENDANT BLACK
HILLS STAGE LINES, INC.**

Plaintiffs, by and through their attorneys, Kevin W. Williams and Fox & Robertson, P.C.,
do hereby serve there their Second Set of Discovery to Defendant Black Hills Stage Lines, Inc.
("Black Hills"), pursuant to Federal Rules of Civil Procedure 33 and 34. The responses to these
discovery requests are due thirty (30) days from the date of service.

Definitions and Instructions

The Definitions and Instructions provided in Plaintiffs' First Set of Written Discovery Requests to Defendant Black Hills Stage Lines, Inc. are incorporated herein. Please continue to provide all documents used in answering any interrogatory pursuant to Request for Production of Documents 1.

Interrogatories

8. Identify all accounting records identifying all buses You have used for Your fixed route service from the year 2005 until the present, including leases for such buses.

Document Requests

Please produce:

19. All documents, including leases, for any bus owned, operated or leased by Busco and used by Black Hills for the last three years.

20. All correspondence between Black Hills and the Department of Transportation and/or any of its divisions and the Department of Homeland Security, regarding the provision of bus service for individuals with disabilities and applications for and receipt of federal financial assistance.

Dated: March 27, 2008

Respectfully submitted,

s/ Kevin W. Williams

Kevin W. Williams, Legal Program Director
Carrie Ann Lucas, CRPD Director
Colorado Cross Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
Telephone: (303) 839-1775
Facsimile: (303) 839-1782
E-mail: kwilliams@ccdconline.org
E-mail: clucas@ccdconline.org

Timothy P. Fox
Amy F. Robertson
Fox & Robertson, P.C.
910 - 16th Street, Suite 610
Denver, CO 80202
Telephone: (303) 595-9700
Facsimile: (303) 595-9705
E-mail: tfox@foxrob.com
E-mail: arob@foxrob.com

Attorneys for Plaintiffs

Certificate of Service

I hereby certify that on May 27, 2008, a copy Plaintiffs' Second Set of Discovery to Defendant Black Hills Stage Lines, Inc. was served by electronic mail and first-class mail, postage pre-paid, on:

Jay S. Jester, Esq.
Marcel Krzystek, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202
jjester@jgllp.com
mkrzystek@jgllp.com

Leslie L. Schluter, Esq.
Pryor Johnson Carney Karr & Nixon, PC
5619 DTC Parkway, Suite 1200
Greenwood Village, CO 80111
lschluter@pjckn.com

Susan P. Klopman, Esq.
Brownstein, Hyatt, Farber, Schreck, LLP
410 17th Street, 22nd Floor
Denver, Colorado 80202
sklopman@bhfs.com

s/ Briana McCarten
Briana McCarten
Legal Program Assistant
Colorado Cross-Disability Coalition
655 Broadway, Suite 775
Denver, CO 80203
303.839.1775 (voice)
303.839.1782 (fax)
bmcarten@ccdconline.org

Exhibit Z

COLORADO CROSS-DISABILITY COALITION

655 BROADWAY, SUITE 775, DENVER, COLORADO 80203

(303) 839-1775 VOICE
(303) 839-0015 TTY
(303) 839-1782 Fax

KWILLIAMS@CCDCONLINE.ORG
WWW.CCDCONLINE.ORG

Julie Reiskin, Executive Director
Kevin Williams, Legal Program Director
Carrie Ann Lucas, CRPD Director

May 27, 2008

VIA E-MAIL AND U.S. MAIL

Jay S. Jester, Esq.
Marcel Krzystek, Esq.
Jester & Gibson, LLP
1875 Lawrence Street, Suite 740
Denver, Colorado 80202

Re: *Colorado Cross-Disability Coalition, et al. v. Greyhound Lines, et al.*
Civil Action No. 07-cv-00598-LTB-MEH

Counsel:

This is our second and final attempt pursuant to D.C.COLO.LCivR 7.1(A) before we file a motion to compel to request you provide answers and documents responsive to our discovery for Busco, Inc. ("Busco") and Black Hills Stage Lines, Inc. ("Black Hills"). This letter responds to Marcel Krzystek's letter of May, 19, 2008. We also need for you to provide us with available dates for your clients' witnesses who can provide information sought by our Notice of Records Deposition and our Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6). As noted in previous correspondence, we will need to take the records depositions first, a week prior to taking the Rule 30(b)(6) corporation representative depositions. Please also find enclosed Plaintiffs' Second Set of Written Discovery to Defendants Busco and Black Hills.

Interrogatory 4 and RFPs 3, 9 & 17 (Black Hills and Busco): Black Hills has responded that it has leased buses from Busco during times relevant to this litigation. You claim that there are no documents showing what buses Black Hills leased from Busco and when. This is, frankly, impossible to believe. If Black Hills "leased" buses, there must be records. Documents showing any purchase, lease or loan relationship would be responsive to our discovery requests. Please turn them over immediately.

Interrogatory 6 and RFPs 1, 3 (Busco) & RFP 17 (Black Hills): With the exception of Busco 0262-0264, you have turned over no documentation regarding the following for Busco and Black Hills: (1) identification of Busco employees; (2) the duties and responsibilities of Busco

Jay S. Jester, Esq.
Marcel Krzystek, Esq.
May 27, 2008
Page 2

employees, including, without limitation, their duties with respect to Black Hills; (3) Busco's hiring and disciplinary practices and procedures; and (4) the owner/s/lessee/s of office and facility space, equipment and furniture for Busco and Black Hills. Please produce these documents immediately.

Interrogatory 1 and RFPs 1 & 2 (Busco): Please provide the documents responsive to these requests and referenced in your May 19 letter immediately.

RFPs 10 & 11 (Busco): We have requested all documentation regarding the purchase of the referenced accessible bus. We believe this request is consistent with Rule 34 and encompasses bank statements, financial statements, purchase agreements, lease agreements, and all correspondence regarding the purchase of the vehicle.

Please provide the requested responses and documents on or before the close of business May 30, 2008, or we will move to compel.

Very truly yours,



Kevin W. Williams
Legal Program Director

encl.

c: Fox & Robertson, P.C., via e-mail