

**BEFORE THE  
FEDERAL MARITIME COMMISSION**

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OJ COMMERCE, LLC,

Complainant,

**DOCKET NO. 21-11**

v.

HAMBURG SÜDAMERIKANISCHE  
DAMPFSCHIFFFAHRTS-GESELLSCHAFT A/S & CO KG

and

HAMBURG SUD NORTH AMERICA, INC.,

Respondents.

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**JOINT STATUS REPORT**

Pursuant to the Scheduling Order dated March 10, 2022, Complainant OJ COMMERCE, LLC (“OJ Commerce”), and Respondents HAMBURG SUD NORTH AMERICA, INC. (“Hamburg NA”) and HAMBURG SÜDAMERIKANISCHE DAMPFSCHIFFFAHRTS-GESELLSCHAFT A/S & CO KG (“HSDG”) (collectively referred to as the “Parties”), by their respective undersigned counsel, have conferred and submit this joint status report.

Regarding progress made in discovery, on March 7, 2022, OJ Commerce served its First Set of Interrogatories and First Set of Requests for Production of Documents on HSDG. On March 24, 2022, Respondents served their Initial Discovery Requests on OJ Commerce. On March 30, 2022, OJ Commerce served its First Set of Interrogatories, First Set of Requests for Production of Documents, and First Set of Requests for Admission on Hamburg NA. On April 7, HSDG served its responses to OJ Commerce’s Interrogatories and its “initial” responses to OJ Commerce’s

Requests for Production of Documents. Counsel for Respondents also represented that “I anticipate that the bulk of the responsive documents will be produced early next week (subject to conclusion of the protective order).” The Parties are in the process of negotiating the terms of a Protective Order and will soon submit that to the Court for its review and decision.

OJ Commerce notes that HSDG objected to and did not respond to four out of 12 of OJ Commerce’s Interrogatories and 13 out of 26 of OJ Commerce’s Requests for Production of Documents. HSDG also provided only limited responses to certain other interrogatories. Therefore, OJ Commerce anticipates that it will be meeting and conferring with HSDG’s counsel on these issues. OJ Commerce’s responses to Respondents’ Initial Discovery Requests are due on April 25, and Hamburg NA’s responses to OJ Commerce’s First Set of Discovery Requests are due on April 29.

Regarding whether settlement discussions have occurred, the Parties jointly conferred with the Director of the Commission’s Office of Consumer Affairs and Dispute Resolution Services (CADRS) on February 17, 2022, and the Parties have agreed to engage in mediation at a date and time to be determined. The Parties anticipate that the mediation will take place sometime after these initial rounds of discovery are completed and document productions have been made.

Dated: April 11, 2022

Respectfully submitted,

/s/Aaron W. Davis  
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