

FEDERAL MARITIME COMMISSION
Office of Administrative Law Judges

PHILIP REINISCH CO. LLC, *Complainant*

v.

FLEXPORT INTERNATIONAL LLC, *Respondent*.

DOCKET NO. 22-26

Served: December 5, 2022

ORDER OF: Erin M. WIRTH, *Chief Administrative Law Judge*.

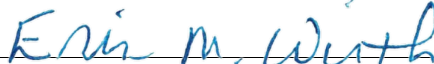
ORDER DENYING UNOPPOSED MOTION TO EXTEND DEADLINE

On December 2, 2022, Complainant filed an unopposed motion (“Motion”) to extend the deadline for filing the joint status report and proposed schedule required by the October 4, 2022, initial order. Previously, on October 21, 2022, Respondent had requested and been granted an extension of time to respond to the complaint. The motion states that Respondent does not oppose the requested extension.

The parties seek an extension until January 31, 2023, to file a joint status report and proposed schedule. In addition, the parties have not stated whether or not they have exchanged initial disclosures or other discovery and they do not state the date of a proposed private mediation. This case was initiated on September 29, 2022, and the requested extension proposes the parties submit a schedule four months later.

Good cause has not been provided for the requested extension. As indicated in the September 29, 2022, notice of filing complaint, a decision in this proceeding is required by September 29, 2023. It will not be possible to complete this proceeding timely if the parties delay four months before even proposing a schedule. Moreover, the process of identifying the issues involved, including the discovery that needs to be completed, and drafting a schedule will aid the parties as they complete the mediation process. In fact, mediation may be scheduled as part of the proposed schedule, but the schedule should demonstrate that the mediation will not delay timely completion of this proceeding, even if the mediation is not successful.

Good cause not having been stated, it is hereby **ORDERED** that Complainant’s unopposed motion to extend deadline for filing the joint status report and proposed schedule be **DENIED**. The parties shall file a joint status report with proposed schedule by December 14, 2022. In addition, the parties are reminded that all filings should be emailed to secretary@fmc.gov with judges@fmc.gov and opposing party copied. The certificate of service should indicate the address used to serve opposing parties.


Erin M. Wirth
Chief Administrative Law Judge