

BEFORE THE
FEDERAL MARITIME COMMISSION

DOCKET NO. 22-30

SAMSUNG ELECTRONICS AMERICA, INC.,

COMPLAINANT,

v.

ZIM INTEGRATED SHIPPING SERVICES LTD.,

RESPONDENT.

**COMPLAINANT’S UNOPPOSED EMERGENCY MOTION
TO EXTEND TIME TO FILE BRIEF AND OTHER DEADLINES**

Samsung Electronics America, Inc. (“Complainant” or “SEA”), by and through its undersigned counsel, hereby requests to extend all the briefing deadlines in the current Scheduling Order dated June 30, 2023 by two (2) days.

Under the applicable Scheduling Order, expert discovery was to be completed by July 28, 2023. Zim was to submit expert rebuttal reports on July 20, 2023, and expert depositions were to conclude on July 28, 2023. Expert discovery was largely completed by the July 28th deadline with the exception of a deposition schedule that took place after the original deadline (which deposition was held on August 2 as scheduled).

Under the current scheduling order, the deadline to submit SEA’s brief, proposed findings of fact, and appendix is August 21, 2023. The deadline to submit Zim’s opposition brief, responses to proposed findings of fact, proposed findings of fact, and appendix is September 21, 2023 and SEA’s reply brief and responses to Zim’s proposed findings of fact is October 5, 2023.

This is SEA’s first request for an extension, which SEA submits is both modest and reasonable, and that reasonable grounds exist to grant the extension of time. Despite SEA’s best efforts to adhere to the scheduling order, due to the breadth of documentation and complexity of the issues, and unanticipated personal and professional demands of key counsel in this matter, additional time is needed to ensure the development of a full and complete record. SEA remains respectful of the deadlines set forth in the Scheduling Order and has worked diligently to abide by all deadlines under the scheduling order, and believes that a brief two (2) day extension would suffice.

This request for additional time would not cause any undue prejudice or delay, and it is being made in good faith. Further, pursuant to Rule 71(a) (46 C.F.R. §§ 502.71(a)) the undersigned conferred with counsel for Zim today and sought their consent to this extension of time. Zim counsel has no objection to the extension of time, with a like amount of time afforded to Respondent’s deadlines, which is included in the proposed revision below. Accordingly, SEA respectfully request revisions to the Scheduling Order as follows:

Event	Current Deadline	Requested Deadline
Complainant’s brief, proposed findings of fact, and appendix	August 21, 2023	August 23, 2023
Respondent’s opposition brief, responses to proposed findings of fact, proposed findings of fact and appendix	September 21, 2023	September 26, 2023 ¹
Complainant’s reply brief and responses to proposed findings of fact	October 5, 2023	October 9, 2023

¹ Note: Because the addition of two (2) days to the September 21 and October 5 deadlines would fall on a Saturday; the proposed dates are the next business days

For the reasons set forth above, SEA respectfully requests that its Unopposed Motion to File Brief and Other Deadlines be granted.

Dated: August 18, 2023

Respectfully Submitted,

HOLLAND & KNIGHT LLP

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the execution date which appears below, the undersigned served the attached document on counsel at the following email addresses:

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Executed: August 18, 2023

/s/ Kristine O. Little

Kristine O. Little