

BEFORE THE  
FEDERAL MARITIME COMMISSION

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DOCKET NO. 22-35

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M.E. DEY & CO., INC.,

COMPLAINANT,

v.

HAPAG-LLOYD AG and HAPAG-LLOYD (AMERICA) LLC,

RESPONDENTS.

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**JOINT STATUS REPORT**

Pursuant to the Administrative Law Judge's Scheduling Order dated April 19, 2023, Complainant M.E. DEY & CO., INC. ("M.E. DEY" or "Complainant") and Respondents HAPAG-LLOYD AG and HAPAG-LLOYD (AMERICA) LLC, as agent for Hapag-Lloyd AG, (collectively "Hapag-Lloyd" or "Respondents") (jointly the "Parties") hereby submit their joint status report:

The parties are working diligently towards the timely completion of discovery. The parties have exchanged discovery requests and responses. The parties have also scheduled depositions in August, before the close of discovery. Due to scheduling issues, they voluntarily have set the date for deposition of party representatives after the existing deadline for completion of depositions

with the understanding that the depositions will be completed prior to the end of the existing discovery deadline.<sup>1</sup>

Pending the outcome of the Motion to Dismiss and related pleadings (FMC Dkt. #s 30, 35, 36, 38) the discovery schedule may need to be revised to permit discovery of CSX Transportation, Inc. However, Dey has served a subpoena duces tecum and deposition notice on CSX.

Respectfully submitted,



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*Attorneys for Respondents*

Dated: July 25, 2023

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<sup>1</sup> This may also permit the parties to avoid duplicative depositions following the outcome of the pending Motion to Dismiss.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of July 2023, the foregoing Joint Status Report was served via electronic mail on:

Federal Maritime Commission

Office of the Secretary  
secretary@fmc.gov

Federal Maritime Commission

Presiding Administrative Law Judge  
judges@fmc.gov



Brendan Collins