

**BEFORE THE
FEDERAL MARITIME COMMISSION**

DOCKET NO. 23-05

RAHAL INTERNATIONAL INC.,

Complainant,

v.

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

Respondents and Third-Party Complainants,

v.

MAHER TERMINALS, LLC, GCT NEW YORK LP

and GCT BAYONNE LP,

Third-Party Respondents.

**THIRD-PARTY RESPONDENTS GCT NEW YORK LP AND GCT BAYONNE LP'S
MOTION TO DISMISS**

Pursuant to 46 C.F.R. §§ 502.69 and 502.70, and Federal Rule of Civil Procedure 12(b)(6) pursuant to 46 C.F.R. § 502.12, Third-Party Respondents GCT New York LP and GCT Bayonne LP (collectively “GCT Third-Party Respondents”)¹ by and through its undersigned attorneys, moves to dismiss with prejudice the third-party complaint filed against GCT Third-Party Respondents by Hapag-Lloyd AG and Hapag-Lloyd (America) LLC for failure to state a claim for

¹ Effective on or about August 31, 2023, GCT New York LP and GCT Bayonne LP underwent conversions to limited liability companies and ultimately changed their names to Port Liberty New York LLC and Port Liberty Bayonne LLC, respectively.

which relief can be granted. A memorandum in support of GCT Third-Party Respondents' Motion to Dismiss is submitted herewith.

Dated: October 3, 2023

Respectfully submitted,

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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: October 3, 2023

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