

BEFORE THE
FEDERAL MARITIME COMMISSION

DOCKET NO. 23-05

RAHAL INTERNATIONAL INC.,
Complainant,

v.

HAPAG-LLOYD AG, HAPAG-LLOYD (AMERICA) LLC, and HAPAG-LLOYD USA, LLC,¹
Respondents and Third-Party Complainants,

v.

MAHER TERMINALS, LLC, GCT NEW YORK LP AND GCT BAYONNE LP,
Third-Party Respondents.

UNOPPOSED MOTION TO EXTEND DISCOVERY SCHEDULE

Respondents Hapag-Lloyd AG and Hapag-Lloyd (America) LLC, (collectively, “Hapag”), through counsel, hereby submit this Motion to Extend the Discovery Schedule in FMC Proceeding No. 23-05.

The schedule governing this proceeding (the “Schedule”) provides that initial discovery requests, including those requests seeking production of documents, admissions, and interrogatories, shall be served by September 5, 2023. Hapag timely its motion for Leave to File a Third-Party Complaint. On September 6, 2023, the Commission granted Hapag’s Motion for Leave to File a Third-Party Complaint. That same day, Hapag filed its Third-Party Complaint against Maher Terminals, LLC, GCT New York LP, and GCT Bayonne LP (collectively, “Third-

¹ Hapag-Lloyd USA, LLC is a Respondent, but not a Third-Party Complainant in this action. This footnote notes this distinction.

Party Respondents”). As such, Hapag was unable to file its Third-Party Complaint against the Third-Party Respondents until one day after the deadline to serve discovery requests under the Schedule. Hapag moved promptly in filing its Motion for Leave to File its Third-Party Complaint and now moves promptly in filing this Motion. This action is further in its earliest stages and no party will be prejudiced by Hapag serving discovery requests on the Third-Party Respondents, who have not yet appeared in this case.

Pursuant to 46 C.F.R. § 502.71(a), counsel for Hapag conferred with counsel for Complainant and co-counsel for Hapag, both of whom indicated that they did not oppose the Motion.

Hapag respectfully moves that the following revised schedule be adopted in this action:

- (a) Hapag’s initial discovery requests to the Third-Party Complainants, including production of documents, admissions, and interrogatories, shall be served within **fourteen (14) days** of entry of the order memorializing this extension;
- (c) Objections and reservations, if any, to Hapag’s initial discovery requests to the Third-Party Complainants, shall be served within **twenty-one (21) days** of receipt of such initial discovery requests;

All other scheduled deadlines would remain the same.

DATE: September 15, 2023

Respectfully Submitted,

/s/ Jake Evans

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September 2023, the forgoing Unopposed Motion to Extend Discovery Schedule was served via electronic mail on:

Federal Maritime Commission
Office of the Secretary
secretary@fmc.gov

Federal Maritime Commission
Judge Linda S. Harris Crovella
judges@fmc.gov

/s/ Jake Evans
Jake Evans