

Before the  
FEDERAL MARITIME COMMISSION  
Washington, D.C. 20573  
Docket No. 23-10  
BED BATH & BEYOND INC. v.  
YANG MING MARINE TRANSPORT CORP.

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**JOINT STATUS REPORT**

Pursuant to 46 C.F.R. § 502.141(h), Complainant 20230930-DK-Butterfly-1, Inc., formerly known as Bed Bath & Beyond Inc<sup>1</sup>. (“BBBY”) and Respondent Yang Ming Marine Transport Corp. ( “Yang Ming”) (BBBY, collectively with Yang Ming, the “Parties”), by their respective undersigned counsel, have conferred and submit this joint status report and proposed discovery schedule:

The Parties have already exchanged the initial disclosures required by 46 C.F.R. § 502.141(b). The Parties do not currently anticipate needing depositions or interrogatories in this case in excess of the amounts contemplated by 46 C.F.R. §§ 502.143 (i.e., no more than 20 depositions) and 502.145 (i.e., no more than 50 written interrogatories), respectively, with the joint understanding that contention interrogatories regarding the factual basis for affirmative defenses shall, together, constitute one interrogatory. Consistent with Paragraph 19 of the Presiding Officer’s September 18, 2023 Initial Order in this case, the Parties intend to meet and confer

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<sup>1</sup> Bed Bath & Beyond Inc. filed a change of name certificate with the New York State Division of Corporations, State Records, and Uniform Commercial Code on September 21, 2023 by and through which Bed Bath & Beyond Inc. changed its corporate name to 20230930-DK-Butterfly-1, Inc.

concerning a stipulation and proposed order regarding treatment of confidential documents and information exchanged and used in this case.

The Parties propose the following schedule, which complies with the 150-day time period set by 46 C.F.R. § 502.141(g):

<b>EVENT</b>	<b>PROPOSED DEADLINE</b>
Parties to serve initial requests for production (“RFPs”) of documents and electronically stored information (“ESI”) and interrogatories	October 30, 2023
Parties to serve objections and responses to initial RFPs	November 7, 2023
Submission of any unresolved disputes concerning initial RFPs and objections and responses thereto (after counsel confer directly)	November 21, 2023
Parties to serve objections and responses to initial interrogatories	November 30, 2023
Submission of any unresolved disputes concerning initial interrogatories and objections and responses thereto (after counsel confer directly)	December 11, 2023
Target for substantial completion of productions of documents and ESI in response to initial RFPs	January 3, 2024
Target for exchange of privilege logs	January 10, 2024
Target to complete depositions of fact witnesses	February 1, 2024

EVENT	PROPOSED DEADLINE
Last day to serve interrogatories, requests for admission, and RFPs	February 1, 2024
Disclosure of Complainant's initial expert reports, if any	February 7, 2024
Disclosure of Respondent's initial expert reports, if any	February 14, 2024
Disclosure of Respondent's rebuttal expert reports , if any	February 19, 2024
Disclosure of Complainant's rebuttal expert reports , if any	February 26, 2024
Target to complete expert depositions	March 1, 2024
Close of discovery	March 1, 2024
Complainant's initial brief, proposed findings of fact, and appendix	April 15, 2024
Respondent's opposition brief, responses to proposed findings of fact, proposed findings of fact, and appendix	May 27, 2024
Complainant's reply and responses to proposed findings of fact	June 17, 2024

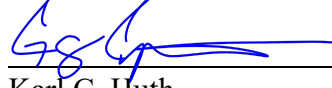
Pursuant to 46 C.F.R. § 502.64(a), the Parties have contacted the Director of the Commission's Office of Consumer Affairs and Dispute Resolution Services to schedule a preliminary conference regarding potential mediation.

[SIGNATURE PAGE FOLLOWS]

Dated: October 19, 2023

Respectfully submitted,

HUTH REYNOLDS LLP



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