

FEDERAL MARITIME COMMISSION
Office of Administrative Law Judges

20230930-DK-BUTTERFLY-1, INC., *Complainant*

v.

MSC MEDITERRANEAN SHIPPING CO. SA, *Respondent*.

DOCKET NO. 23-12

Served: December 21, 2023


ORDER OF: Linda S. Harris CROVELLA, *Administrative Law Judge*.

ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME

On December 20, 2023, the parties filed a joint motion seeking an extension of time to file a partial motion to dismiss and answer to the complaint due to the upcoming holidays. The parties request an extension of time to file the dispositive motion from December 26, 2023 to January 5, 2024, and an extension of time to file an answer to the complaint to ten (10) days after the undersigned's ruling on the motion.

The brief extension requested by the parties is reasonable. The parties have not yet started discovery, and the brief delay caused by the extension of time to file a partial motion to dismiss could result in "potentially narrowing the issues addressed in the answer and subsequent filings." Joint Motion for an Extension of Time to File a Motion to Dismiss the Complaint and to File an Answer at 3. The parties are reminded, however, that delays in beginning discovery may impact the time allotted for briefing later in the proceeding.

For the reasons outlined above, it is hereby **ORDERED** that the joint motion be **GRANTED**. Respondent shall file their partial motion to dismiss by January 5, 2024, and Complainant shall file its response, if any, by January 22, 2024. 46 C.F.R. § 502.70(b). Respondent's answer to the complaint will be due ten (10) days after the undersigned's ruling on the partial motion to dismiss.



Linda S. Harris Crovella
Administrative Law Judge