

FEDERAL MARITIME COMMISSION
Office of Administrative Law Judges

ICL USA, INC., *Complainant*

v.

DEPENDABLE HIGHWAY EXPRESS, INC. AND
MEDITERRANEAN SHIPPING COMPANY, (USA) INC., ON
BEHALF OF MEDITERRANEAN SHIPPING COMPANY, S.A.,
Respondents.

DOCKET NO. 24-04

Served: February 1, 2024


ORDER OF: Erin M. WIRTH, *Chief Administrative Law Judge.*

ORDER ON MSC’S MOTION FOR EXTENSION OF TIME TO FILE ANSWER

On January 30, 2024, Respondents Mediterranean Shipping Company S.A. and MSC Mediterranean Shipping Company (USA) Inc. (collectively, “MSC”) filed a motion seeking an extension of time to file an answer from February 6, 2024, to March 8, 2024. The motion states that counsel for Complainant consents to the request for an extension.

MSC states that the extension will allow it to “locate documents and other information necessary to support Respondents’ defenses. Given that the claim refers to invoice issued up to three years ago and that a substantial number of supporting documentation might be located overseas, Respondents respectfully submits that a four (4) week extension is reasonable under the circumstances.” Motion at 1. The extension requested is longer than typically permitted at the beginning of a proceeding and slightly longer than four weeks. Lengthy extensions at the beginning of a proceeding can make it difficult to complete proceedings within the timeframe required by the Commission. Therefore, a shorter extension will be permitted.

Good cause having been stated, it is hereby **ORDERED** that MSC’s Motion for Extension of Time to File an Answer be **GRANTED IN PART**. MSC’s response to the complaint shall be filed by March 1, 2024. If Respondent Dependable Highway Express, Inc. requires an extension to respond to the Complaint, it will need to file its own motion. The parties should file their joint status report with proposed schedule, as required by the Initial Order, by March 12, 2024, to ensure that discovery begins promptly.


Erin M. Wirth
Chief Administrative Law Judge