

**BEFORE THE
FEDERAL MARITIME COMMISSION**

OL USA, LLC,)	
)	
Complainant,)	
)	
v.)	DOCKET NO. 24-11
)	
MAERSK A/S,)	
)	
Respondent.)	
)	

MAERSK’S AMENDED MOTION TO COMPEL COMPLAINANT’S DEPOSITIONS

Respondent, MAERSK A/S (“MAERSK”), respectfully submits this motion to compel Complainant OL USA, LLC’s (“OL USA’s”) depositions pursuant to 46 CFR Secs. 502.69 and 502.150.

I. MAERSK’S NOTICE OF DEPOSITION TO OL USA.

1. On June 28, 2024 MAERSK served a Notice on OL USA for the depositions of six (6) of its representatives (Exhibit “A” hereto).

II. MAERSK GOOD FAITH EFFORTS.

2. On July 9, 2024, OL USA’s counsel emailed us (Exhibit “B”) asking to adjourn the deposition of its representative Mr. Alan Baer. We agreed and requested alternative dates.

3. On July 16, 2024, we emailed OL USA’s counsel (Exhibit “C”) again requesting a date for Mr. Baer’s deposition but received no response to our July 9 or July 16 emails.

4. By letter to OL USA’s counsel on July 24, 2024, we made a further good faith effort to address the scheduling of OL USA’s depositions and compliance with the Scheduling Order, but without response from OL USA (Exhibit “D”).

5. MAERSK's dispositive Motion to Dismiss served on July 18, 2024 requests, as alternative relief, a stay of all depositions until OL USA fully complies with MAERSK's written discovery requests.

6. Under the circumstances, MAERSK's dispositive motion may not be adjudicated until on or after August 8, 2024 and the current discovery deadline is August 28, 2024.

7. With six (6) depositions of OL USA and two (2) depositions of MAERSK pending, OL USA's continued discovery obstruction places MAERSK in an awkward position.

8. Therefore, MAERSK requests further alternative discovery relief pursuant to a directive to OL USA to promptly begin producing its witness in the order noticed by MAERSK (Exhibit "A") within five (5) days from the adjudication of this motion.

III. CONCLUSION.

9. MAERSK respectfully requests an Order compelling Complainant, OL USA, LLC, to comply with MAERSK's Notice of Deposition (Exhibit "A") by producing its named representatives for deposition, in the order designated in the Notice, within five (5) days after the adjudication of this motion.

Dated: July 26, 2024

GEORGE W. WRIGHT & ASSOCIATES, LLC

By: /s/ George W. Wright
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of July, 2024, the foregoing Motion to Compel Complainant's Depositions was served via electronic mail on:

Eric Larson Zalud, Esq.
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/s/ George W. Wright
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