

**BEFORE THE  
FEDERAL MARITIME COMMISSION**

**Docket No. 25-29**

**MAC Industries Inc. dba MAC Container Line,  
Complainant,**

**v.**

**COSCO Shipping Lines Co., Ltd. and COSCO Shipping Lines (North America) Inc.,  
Respondents.**

**COMPLAINANT'S MOTION FOR LEAVE TO ACCEPT OUT-OF-TIME OPPOSITION  
(46 C.F.R. § 502.74; § 502.2(h))**

Complainant MAC Industries Inc. dba MAC Container Line ("MAC"), appearing pro se, respectfully moves for leave to accept its Opposition to Respondents' Motion to Dismiss as timely filed, or alternatively nunc pro tunc to the original response deadline. In support thereof, MAC states as follows:

**BACKGROUND**

1. Respondents filed their Motion to Dismiss on January 23, 2026.
2. Under the Commission's Rules governing dispositive motions, a response is due within fifteen (15) days after service.
3. MAC did not file its Opposition within that 15-day period.
4. On February 25, 2026, the Office of Administrative Law Judges inquired whether a response had been filed.
5. MAC immediately filed its Opposition the same day as the inquiry.

**EXPLANATION AND GOOD CAUSE**

1. The delay resulted from a misunderstanding regarding procedural sequencing. MAC believed that a scheduling directive or further instruction from the Presiding Officer would precede the filing of an opposition brief.
2. MAC's delay was not intentional, strategic, or undertaken in disregard of the Commission's Rules.
3. Upon receiving inquiry from the Office of Administrative Law Judges, MAC filed its Opposition promptly and without further delay.
4. Respondents have now fully replied to MAC's Opposition. Accordingly, there has been no prejudice to Respondents.
5. The brief delay has not disrupted any scheduling order, discovery timetable, or hearing date.
6. MAC respectfully submits that the interests of justice favor resolution of Respondents' Motion to Dismiss on the merits rather than on procedural grounds.

## REQUEST FOR RELIEF

WHEREFORE, MAC respectfully requests that the Presiding Officer:

1. Grant leave to accept Complainant's Opposition as timely filed; or
2. In the alternative, accept the Opposition nunc pro tunc to the original response deadline; and
3. Grant such further relief as the Presiding Officer deems just and proper.

Dated: March 2, 2026



Respectfully submitted,  
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CERTIFICATE OF SERVICE

I hereby certify that on this 2<sup>nd</sup> day of March, 2026, a true and correct copy of the foregoing Motion for Leave to Accept Out-of-Time Opposition was served via electronic mail upon counsel for Respondents:

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Respectfully submitted,



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