

FEDERAL MARITIME COMMISSION

YAKOV KOBEL AND VICTOR
BERKOVICH

v.

HAPAG-LLOYD, A.G., HAPAG-
LLOYD AMERICA, INC., LIMCO
LOGISTICS, INC, AND
INTERNATIONAL TLC, INC.

Docket No. 10-06

Served: August 30, 2012

BY THE COMMISSION: Richard A. Lidinsky, Jr.,
Chairman; Joseph E. Brennan, Rebecca F. Dye, Michael
A. Khouri, and Mario Cordero, *Commissioners*.

Order Changing Schedule for Oral Argument

On July 27, 2012, the Commission issued an Order Granting Request for Oral Argument (Order). In the Order, the Commission notified the parties that the oral argument would be scheduled for September 19, 2012 at 10:00 a.m.

One of the Respondents, Limco Logistics, Inc. (Limco), filed with the Commission a Stipulation of Substitution and Notice of Appearance (Notice) on July 30, 2012. In the Notice, Limco

stated that Carroll McNulty & Kull LLC would be substituted as attorneys of record for Limco, in place of Ronald Saffner.

On August 9, 2012, Limco filed with the Commission a Notice of Motion and Motion for Postponement seeking to postpone the oral argument scheduled for September 19, 2012 until November 19, 2012. Limco requested that the Commission postpone and reschedule the oral argument to “November 19, 2012, or such other date as the Commission may designate in light of the consideration discussed [in the motion].” Limco stated that its former attorney, Ronald Saffner suddenly and unexpectedly passed away on June 22, 2012. As a consequence, Limco retained Richard L. Furman of the firm of Carroll McNulty & Kull LLC to replace Mr. Saffner. Limco stated that a postponement is necessary to allow Mr. Furman a reasonable amount of time to become fully briefed on this proceeding. Limco further stated that Respondents, Hapag-Lloyd, A.G. and Hapag-Lloyd America, Inc. and International TLC, Inc., have consented to the proposed adjournment date, but Complainants have objected to the proposed postponement.

On August 16, 2012, Complainants filed their Response to Limco’s Motion and objected to the proposed postponement of the oral argument. Complainants claimed that postponing to November 19, 2012 would be unnecessary because Complainants did not file

any additional brief for the oral argument. Complainants also alleged that their attorney has a surgery scheduled for October 23, 2012, and, therefore, will not be available on November 19, 2012 considering the expected recovery period suggested by his doctor. Complainants further alleged that their counsel has two trials in December, 2012.

In light of these circumstances, the Commission reschedules the date for oral argument.

Therefore, it is hereby **ORDERED** that the oral argument will be held on October 18, 2012 at 2:00 p.m. The oral argument will be held at the Commission's main hearing room at 800 North Capitol Street, NW, Washington, D.C. 20573.

By the Commission.

Karen V. Gregory
Secretary