

BEFORE THE
FEDERAL MARITIME COMMISSION

Docket No. 10-06

YAKOV KOBEL AND VICTOR BERKOVICH

COMPLAINANT,

v.

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

RESPONDENTS.

**MOTION OF LIMCO LOGISTICS, INC. FOR ENLARGEMENT OF TIME FOR
FILING EXCEPTIONS TO INITIAL DECISION**

Pursuant to Rule 228 of the Federal Maritime Commission's (the "Commission") Rules of Practice and Procedure, 46 C.F.R. § 502.228, Respondent Limco Logistics, Inc. ("Limco") hereby requests a 29-day enlargement of the time to file exceptions to the Remand Initial Decision served in this proceeding on July 30, 2014. Pursuant to Rule 71, Limco's undersigned counsel has conferred by telephone with all parties to this proceeding regarding the requested enlargement of time. Respondent International TLC, Inc. and Respondents Hapag-Lloyd A.G. and Hapag-Lloyd America, Inc. have indicated that they do not oppose the requested enlargement of time. Counsel for Complainants has advised that he will consult with this clients, but has not yet confirmed whether Complainants will oppose this motion or not.

Limco respectfully submits that good cause exists for the requested extension as set forth below:

1. The Remand Initial Decision in this proceeding was served on July 30, 2014. Accordingly, pursuant to Rule 227, exceptions to the Remand Initial Decision are currently due on August 21, 2014 – 22 days after the date of service of the Remand Initial Decision.

2. Limco's undersigned counsel was first retained to represent Limco in order to file exceptions on August 5, 2014, shortly after the Remand Initial Decision was served. Limco's undersigned counsel has not yet received the case files, pleadings or the underlying record of the proceedings before the presiding officer, and accordingly has not yet been able to begin to review the record in this case in order to prepare exceptions to the Remand Initial Decision.

3. Based upon a preliminary review of the Initial Decision and the Remand Initial Decision, the record in the proceedings before the presiding officer is substantial. A four-day hearing was held to take the live testimony of eleven witnesses. In addition, the parties submitted over 200 exhibits, including deposition transcripts. The Remand Initial Decision was also based on voluminous pleadings, briefs, and proposed findings of fact and conclusions of law submitted by the parties.

4. Limco's undersigned counsel expects to have access to all the relevant case files and materials by the week of August 11, 2014, less than 10 days before the current deadline. In light of the substantial record and Limco's counsel's unfamiliarity with the case, Limco submits that there will be insufficient time before the current August 21, 2014, deadline to ensure a full and fair review of the record and consideration of the issues to be raised on Exceptions. Consequently, Limco respectfully requests a 29-day enlargement of the time to file exceptions to the remand Initial Decision.

5. Rule 228 requires that requests for enlargement of the time to file exceptions be submitted more than five days before the existing deadline for filing exceptions. Since the existing deadline for filing exceptions is August 21, 2014, this motion is timely filed under to Rule 228.

WHEREFORE, Limco respectfully requests that the Commission grant this motion and enlarge the time for filing exceptions to the Remand Initial Decision until September 19, 2014.

Respectfully submitted,



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DATED: August 7, 2014

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document was delivered to the following addressees at the addresses stated by depositing same in the United States mail, first class postage prepaid, and/or by electronic transmission, this 7th day of August 2014:

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