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September 21, 2016					
FEDERAL MARITIME COMMISSION					

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DOCKET NO. 12-02

MAHER TERMINALS, LLC

v.

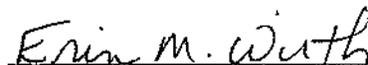
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

ORDER GRANTING SECOND JOINT MOTION TO EXTEND STAY

On September 16, 2016, complainant Maher Terminals, LLC (“Maher”) and respondent The Port Authority of New York and New Jersey (“Port Authority”) filed a joint motion to extend a stay of this proceeding pending the outcome of settlement discussions (“Extension Motion”). The parties request a one-week stay, until September 23, 2016. The parties state that “they have made substantial progress toward an agreement that will resolve all issues in this litigation” and that they “anticipate being able to complete negotiations and submit a settlement agreement for approval before September 23, 2016.” Extension Motion at 1.

The Scheduling Order in this proceeding was issued on January 29, 2016. Discovery disputes followed quickly. In the July 14, 2016, Order on Maher’s Second Motion to Compel Discovery, the parties were instructed that if they “require[d] any amendments to the schedule, they should submit a proposed amended schedule including a deadline for exchanging privilege logs, by July 29, 2016.” That date was extended to September 16, 2016, in an order staying this proceeding and prior extension. Although the undersigned is concerned about the limited progress made in the proceeding to date, the requested brief extension of the stay will be permitted in the interest of encouraging settlement.

Therefore, it is hereby **ORDERED** that this proceeding continue to be stayed until September 23, 2016. The joint proposed amended schedule shall be filed on September 23, 2016, if the proceeding is not resolved.



Erin M. Wirth
Administrative Law Judge