

**BEFORE THE
FEDERAL MARITIME COMMISSION**

Docket No. 12-02

MAHER TERMINALS, LLC

COMPLAINANT

v.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

RESPONDENT

JOINT MOTION TO EXTEND STAY PROCEEDINGS

On August 3, 2016, the Presiding Officer granted the joint motion of Complainant Maher Terminals, LLC (“Maher”) and Respondent the Port Authority of New York and New Jersey (“Port Authority”), dated July 29, 2016, to stay all proceedings for five weeks pending the outcome of settlement negotiations. This stay is set to expire on September 2, 2016. The parties hereby jointly move for a brief extension of the stay through and including September 16, 2016 to allow the parties to finalize settlement negotiations.

In support of this motion, Maher and the Port Authority jointly state that they have made substantial progress toward an agreement that will resolve all issues in this litigation, as well as in the Docket No. 08-03 action. The parties, however, request additional time to negotiate the details of this agreement. The parties anticipate being able to complete negotiations and submit a settlement agreement for approval by or before September 16, 2016.

Maher and the Port Authority again additionally request that the Commission direct that the parties are permitted to lift the stay order before the brief extension period expires, either by

joint motion or by one party's motion made upon 10 days written notice to the other party. The parties are simultaneously filing a similar motion with the Commission seeking an extension of the stay of proceedings in the Docket No. 08-03 action.

A proposed stay order is attached for the Presiding Officer's consideration.

Dated: September 2, 2016

Respectfully submitted,

FOR MAHER TERMINALS, LLC



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ORDER

Complainant Maher Terminals, LLC (“Maher”) and Respondent the Port Authority of New York and New Jersey (“Port Authority”), having filed a joint motion to extend the stay of proceedings in this litigation, all proceedings in this action are hereby stayed through and including September 16, 2016, pending the outcome of settlement negotiations. This Stay Extension Order shall be lifted immediately upon the receipt of a joint motion by Maher and the Port Authority or of a motion by either Maher or the Port Authority made upon 10 days written notice to the other party. On September 16, 2016, if the parties have not yet concluded their settlement, they shall submit a status report and either a joint motion for a brief extension of the stay or a proposed schedule.
