

S E R V E D  
September 7, 2016  
FEDERAL MARITIME COMMISSION

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**DOCKET NO. 12-02**

**MAHER TERMINALS, LLC**

v.

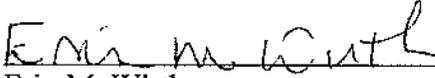
**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY**

**ORDER GRANTING JOINT MOTION TO EXTEND STAY**

On September 2, 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 two-week stay, until September 16, 2016. The parties state that “they have made substantial progress toward an agreement that will resolve all issues in this litigation.” Extension Motion at 1. The parties request that they be permitted to lift the stay either by joint motion or by one party’s motion made upon ten days written notice to the other party. Extension Motion at 2.

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 2, 2016, in the order staying this proceeding. 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 16, 2016, unless the parties file a joint motion or either party files a motion to lift the stay, made with ten days notice to the other party. The joint proposed amended schedule shall be filed on September 16, 2016, or on the date that a motion to lift the stay is filed.

  
Erin M. Wirth  
Administrative Law Judge