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May 18, 2016					
FEDERAL	MARITIME	COMMISSION			

**FEDERAL MARITIME COMMISSION**

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**DOCKET NO. 12-02**

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**MAHER TERMINALS, LLC**

**v.**

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

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**ORDER ON MAHER'S MOTION FOR PAGE LIMITATION RELIEF AND PORT  
AUTHORITY'S MOTION TO STRIKE MAHER'S SECOND MOTION TO COMPEL**

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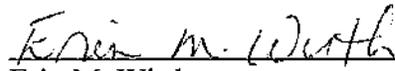
On May 2, 2016, complainant Maher Terminals, LLC ("Maher") filed a motion for page limitation relief and second motion to compel discovery from respondent The Port Authority of New York and New Jersey ("Port Authority"). On May 10, 2016, the Port Authority filed a motion to strike Maher's second motion to compel and opposition to Maher's motion for relief from page limitation. On May 13, 2016, Maher filed its opposition to the motion to strike the second motion to compel.

In its motion for page limitation relief included at the end of its second motion to compel, Maher contends that the ten page limitation on non-dispositive motions is not sufficient for a motion to compel which must include verbatim the interrogatory request, the response, a summary of the moving party's attempts to secure a sufficient response, and the moving party's argument. Motion to compel at 87.

In its motion to strike and opposition to Maher's motion for relief from page limitation, the Port Authority asserts that Maher's 88-page motion to compel should be stricken as grossly exceeding the 10-page limitation for non-dispositive motions and that Maher should have obtained leave of the Presiding Officer prior to filing the motion. Motion to Strike at 2-4. The Port Authority requests that if the motion to compel stands, the Port Authority be provided an additional 21 days to respond and an extension to 50 total pages, not including matters that the Initial Order requires it to quote. Motion to strike at 5-6.

While the length of Maher's motion to compel is clearly excessive, Maher is correct that ten pages would not be sufficient to include the information required by the Initial Order. Requiring Maher to resubmit the motion in a shorter form will only delay the proceeding. Accordingly, Maher's motion for page limitation relief for its second motion to compel is granted and the Port Authority's motion to strike is denied in part and granted in part. The Port Authority's response to Maher's second motion to compel shall be filed by June 8, 2016, and the Port Authority's page limitation for its response to Maher's second motion to compel will be expanded to 50 pages, not including matters that the Initial Order requires to be quoted.

For the reasons stated above, it is hereby **ORDERED** that Maher's motion for page limitation relief be **GRANTED**. It is further **ORDERED** that the Port Authority's motion to strike Maher's second motion to compel be **GRANTED IN PART AND DENIED IN PART**. The Port Authority's response to Maher's second motion to compel shall be filed by June 8, 2016, and the page limitation for its response to Maher's second motion to compel will be expanded to 50 pages, not including matters that the Initial Order requires to be quoted.

  
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Erin M. Wirth  
Administrative Law Judge