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August 3, 2016					
FEDERAL MARITIME COMMISSION					

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DOCKET NO. 12-02

MAHER TERMINALS, LLC

v.

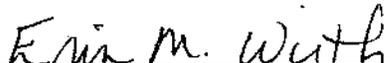
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

ORDER GRANTING JOINT MOTION TO STAY

On July 29, 2016, complainant Maher Terminals, LLC (“Maher”) and respondent The Port Authority of New York and New Jersey (“Port Authority”) filed a joint motion to stay proceedings pending the outcome of settlement discussions (“Motion”). The parties request a five-week stay, until September 2, 2016. The parties state that “[i]ssuance of a temporary stay in this case is appropriate because it will enable the parties to pursue their negotiations without undertaking the significant expense and burdens that this proceeding otherwise would entail, and avoid the unnecessary waste of the scarce resources of the Presiding Officer.” Motion at 2. 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. 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.” Although the undersigned is concerned about the limited progress made in the proceeding to date, the requested stay will be permitted in the interest of encouraging settlement.

Therefore, it is hereby **ORDERED** that this proceeding be stayed until September 2, 2016, unless 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 2, 2016, or on the date that a party files a motion to lift the stay, made with ten days notice to the other party.



Erin M. Wirth
Administrative Law Judge