

**BEFORE THE
FEDERAL MARITIME COMMISSION**

Docket No. 14-06

**SANTA FE DISCOUNT CRUISE PARKING, INC. d/b/a EZ
CRUISE PARKING; LIGHTHOUSE PARKING, INC.; and
SYLVIA ROBLEDO d/b/a 81st DOLPHIN PARKING**

Complainants

v.

**THE BOARD OF TRUSTEES OF THE GALVESTON
WHARVES and THE GALVESTON PORT FACILITIES
CORPORATION**

Respondents

JOINT STATUS REPORT

Complainants Santa Fe Discount Cruise Parking Inc. d/b/a EZ Cruise Parking, Lighthouse Parking, Inc. and Sylvia Robledo d/b/a 81st Dolphin Parking and Respondents The Board of Trustees of the Galveston Wharves (“Board of Trustees”) and Galveston Port Facilities Corporation (“GPFC”) hereby submit this joint status report and proposed schedule for the completion of discovery pursuant to 46 C.F.R. § 502. 201(h) and the Commission’s June 25, 2014 Initial Order.

1. Status of this Action, Discovery, and any Pending Motions

On June 16, 2014, Complainants filed their Verified Complaint in this proceeding. On July 21, 2014, Respondents filed their Notice of Appearance and Answer in the FMC Action. Complainants attempted to serve each Respondent separate Requests for Production of Documents together with their Verified Complaint. By agreement, Respondents are required to respond to same on or before September 8, 2014. Pursuant to Federal Rule of Civil Procedure 26(a) and 46 C.F.R. § 502.201(b), the parties exchanged Initial Disclosures on July 28, 2014.

In accordance with 46 C.F.R. § 502. 201(h), the parties conferred on August 5, 2014 to establish a proposed schedule for the completion of discovery, including disclosures and discovery related to experts, within the 150-day period } prescribed in paragraph (g); resolve to the fullest extent possible any disputes relating to discovery matters; and attempt to expedite, limit, or eliminate discovery by use of admissions, stipulations, and other techniques.

There are no pending motions in this proceeding at this time.

2. Agreements Between Parties Relating to Discovery Disputes and to Expedite this Proceeding

The Parties conferred on August 5, 2014, and reached an agreement to engage in mediation on or before September 5, 2014. Further, the Parties also have consented to mediate with Zoraya De La Cruz in Houston, Texas, subject to her availability within this time frame.

On or about June 26, 2014, Complainants filed a separate federal action in the United States District Court for the Southern District of Texas—Galveston Division, *Robledo, et al. vs. The Board of Trustees of the Galveston Wharves, et al.*, Civ. No. 3:14-cv-00206 (the “Federal Action”), seeking, among other things, interim injunctive relief pending a final decision in this proceeding pursuant to 46 U.S.C. §41306. The parties reached an agreement on the language of a proposed interim order, which was signed and entered by the Honorable Nancy K. Johnson, United States Magistrate Judge, on August 5, 2014. *See* Doc. No. 11, attached as Ex. A.

Further, in their Initial Disclosures, Respondents identified numerous documents in its possession that they may use may use to support their claims or defenses without providing Complainants copies of same. The parties reached an agreement that Respondents will provide Complainants with copies of the documents referenced in Respondents’ Initial Disclosures on or before September 8, 2014. The Parties Agree that documents produced in discovery in the

Federal Action can be used in this proceeding, and that discovery from this proceeding can be used in the Federal Action, subject to admissibility requirements.

Subject thereto, the parties have not made any additional agreements in this regard.

3. Parties' Joint Proposed Schedule

The Parties propose the following discovery schedule in this proceeding:

September 8, 2014	Respondents each must respond to Complainants' First Request for Production, and provide Complainants copies of documents referenced in their Initial Disclosures.
September 15, 2014	Parties may commence with depositions of fact witnesses.
October 31, 2014	Complainants must designate affirmative expert witnesses and produce expert reports for same.
November 14, 2014	Deadline for Parties to serve written discovery requests. The Parties are ordered to respond to discovery requests within 30 days of service.
December 1, 2014	Respondents must designate affirmative expert witnesses and produce expert reports for same.
December 18, 2014	Parties must designate rebuttal expert witnesses and produce expert reports for same. Deadline for Parties' to complete discovery. Parties may depose rebuttal experts prior to January 9, 2015.

Dated: August 8, 2014

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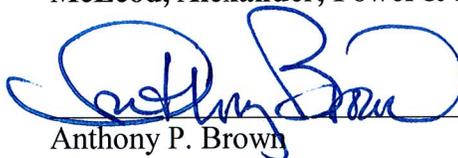
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*By permission

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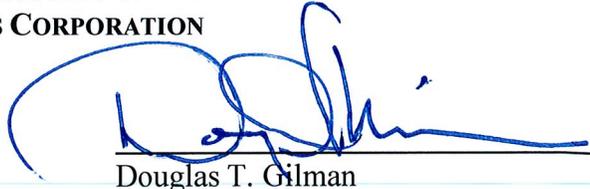
CERTIFICATE OF SERVICE

I hereby certify that I electronically filed this document on this **8th day of August, 2014**, and that a true and correct copy of the foregoing was served on all counsel of record *via* certified mail – return receipt requested and email, as indicated below:

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