

S E R V E D
March 13, 2015
FEDERAL MARITIME COMMISSION

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DOCKET NO. 14-16

BALTIC AUTO SHIPPING, INC.

v.

**MICHAEL HITRINOV a/k/a MICHAEL KHITRINOV, and
EMPIRE UNITED LINES CO., INC.**

**MARCH 13, 2015, ORDER ON RESPONDENTS' MOTION AND
AMENDED BRIEFING SCHEDULE**

On March 12, 2015, the parties appeared for a telephone conference on Respondents' Motion Requesting a Discovery Dispute Conference and for an Extension of Time to File Motion for Partial Summary Decision. At the conference, Complainant was represented by attorney Marcus A. Nussbaum and Respondents were represented by attorney Gerald Doyle. The conference was recorded by audio, but no transcript was made of the recording. The parties have been supplied with electronic copies of the recording. It is hereby

ORDERED that Respondents' Motion Requesting a Discovery Dispute Conference and for an Extension of Time to File Motion for Partial Summary Decision be **GRANTED IN PART** and **DENIED IN PART**. Respondents' motion for a telephone conference is **GRANTED**. Respondents' motion for an order requiring Complainant to produce the documents listed in the attachment to the motion is **DENIED**.

Based on the parties' discussions, the following schedule is entered:

March 23, 2015 Respondents will file a motion for partial summary decision on (1) the effect of the statute of limitations; and (2) the effect of the settlement resolving the 2011 New Jersey case between the parties. *Baltic Auto Shipping, Inc. v. Michael Hitrinov a/k/a Michael Khitrinov, Empire United Lines Co., Inc., et al.*, No. 2:11-cv-06908-FSH (D.N.J. Dec. 7, 2011) (Stipulation and

Dismissal). The motion will be accompanied by a statement of material facts as to which there is no genuine dispute and necessary supporting documentation.

April 20, 2015 Complainant will file its response to the motion for partial summary decision.

May 4, 2015 Respondents may file a reply to Complainant's response.

Complainant will endeavor to produce in Microsoft Excel format Attachment H to the audit previously produced in PDF format.



Clay G. Guthridge
Administrative Law Judge