

**BEFORE THE  
FEDERAL MARITIME COMMISSION**

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Docket No.: 14-16

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**BALTIC AUTO SHIPPING, INC.,**

*Complainant,*

– vs. –

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

*Respondents.*

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**COMPLAINANT’S BRIEF IN OPPOSITION TO THE MOTION BY  
RESPONDENTS FOR A TELEPHONE CONFERENCE TO ESTABLISH AND AMEND  
THE SCHEDULE FOR THE BRIEFING OF MATTERS BEFORE THE COMMISSION**

Pursuant to Rules 69 and 71 of the Federal Maritime Commission’s (the “Commission”) Rules of Practice and Procedure (46 C.F.R. 502 *et seq.*), Complainant, through its Counsel, Marcus A. Nussbaum, Esq. respectfully submits this brief in opposition to the motion by respondents which seeks a telephonic conference regarding the briefing schedules for the various motions currently before the Commission.

The primary arguments in opposition to respondents’ motion to amend the briefing schedules are set forth at length in the undersigned’s recent brief in opposition of May 1, 2015, and are incorporated herein. It is respectfully submitted that no telephonic conference is necessary to address these issues, and respondents’ motion to amend the briefing schedules for the motions currently before the Commission should be denied (with the sole exception being the extension of time for respondents’ reply brief on the motion for partial summary decision, to which the undersigned has consented).

Respondents' complaint of needing more time to respond to a "flurry of motions" is unavailing. As explained in the undersigned's recent brief in opposition of May 1, 2015, I am a solo practitioner, and both of the respondents' attorneys (Mr. Doyle and Mr. Werner) are members of law firms with multiple attorneys. With the sole exception being a request for an extension of time for opposing respondents' motion for partial summary decision due to Mediterranean Shipping Company's untimely (by approximately one month) response to the Commission's subpoena, the undersigned has not complained of having inadequate time to prepare responses to the motions by Mr. Doyle (and for that matter, by Mr. Werner in the two ongoing Federal Actions ancillary to this matter). With specific regard to Mediterranean Shipping Company's Subpoena response, which the undersigned received yesterday at 4:00 PM on DVD and which contains thousands of documents, the undersigned is not requesting additional time to download, process, and review these documents to see if they are relevant for the motion for partial summary decision.

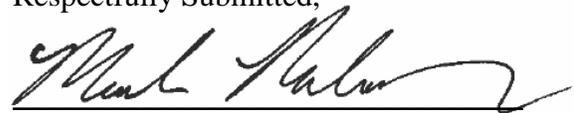
Accordingly, no extensions of the briefing schedules are necessary (aside from what was already agreed upon) and no telephonic conference is needed to address these issues.

### **CONCLUSION**

In light of the foregoing, complainant respectfully requests that the Commission deny respondents' motion accordingly.

Dated: May 6, 2015  
Brooklyn, NY

Respectfully Submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the **COMPLAINANT'S BRIEF IN OPPOSITION TO THE MOTION BY RESPONDENTS FOR A TELEPHONE CONFERENCE TO ESTABLISH AND AMEND THE SCHEDULE FOR THE BRIEFING OF MATTERS BEFORE THE COMMISSION** upon:

Respondents' Counsel, The Law Office of Doyle & Doyle, with the address of 636 Morris Turnpike, Short Hills, NJ 07078.

**Lyons & Flood**

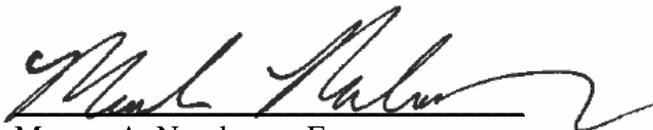
**Attn: Jon Werner, Esq.**

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by first class mail, postage prepaid, and by email ([gdoyle@doyelaw.net](mailto:gdoyle@doyelaw.net)).



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Dated: May 6, 2015 in Brooklyn, New York.