

**BEFORE THE
FEDERAL MARITIME COMMISSION**

Docket No.: 14-16

BALTIC AUTO SHIPPING, INC.,

Complainant,

– vs. –

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

Respondents.

**BALTIC AUTO SHIPPING, INC.'S MOTION TO ENLARGE TIME FOR FILING
EXCEPTIONS TO INITIAL DECISION ON RESPONDENTS'
MOTION FOR PARTIAL SUMMARY DECISION**

Complainant Baltic Auto Shipping, Inc. ("Baltic"), by and through its attorneys, hereby moves the Federal Maritime Commission ("Commission") for an Order pursuant to Rule 228 of the Commission's Rules of Practice and Procedure, 46 C.F.R. § 502.228, to enlarge its time for filing its Exceptions to the Initial Decision by forty (40) days. The undersigned consulted with counsel for Respondents by email about this Motion at noon on September 24, 2015, and asked that Respondents consent to the extension. As of the time of this writing, Counsel has not responded. Good cause exists to grant this Motion for reasons that follow:

1. On September 15, 2015, the Administrative Law Judge issued the Initial Decision Granting Respondent's Motion for Partial Summary Decision and dismissed this proceeding. Pursuant to Rule 227 of the Commission's Rules of Practice and Procedure, 46 C.F.R. § 502.227, Baltic must file its Exceptions to the Initial Decision with the Commission "within twenty-two

(22) days after the date of service of [the Initial Decision]."

2. Presently, Baltic must file its Exceptions to the Initial Decision with the Commission by October 7, 2015. Baltic seeks a 40-day extension of time, up to and including November 16, 2015, to file its Exceptions.

3. Rule 228 of the Commission's Rules of Practice and Procedure, 46 C.F.R. § 502.228, permits a party to file a motion seeking an enlargement of time for filing of Exceptions. Such motions must set forth their reasons and be submitted at least five (5) days before the scheduling date for filing. 46 C.F.R. § 502.228.

4. Baltic's Motion is timely submitted. Baltic's Exceptions to the Initial Decision is not due until October 7, 2015. Baltic files this Motion on September 25, 2015, more than five days before the date on which currently it must file Exceptions.

5. Good cause exists for enlarging Baltic's time for filing Exceptions. In particular, the Initial Decision was served at the start of the Jewish High Holidays, which the undersigned is observing, which began on September 14, 2015 and continue through October 6, 2015. The Jewish High Holidays constitute the entire original twenty-two (22) day period during which Baltic must prepare and file its Exceptions, unless an extension is granted.

6. Counsel is also a solo practitioner and has other pressing filings. Counsel is preparing multiple Complaints, motions for summary judgment and motions for dismissal on behalf of other separate clients in other State Court and Federal Court matters in the next few weeks. Counsel is also preparing other FMC Complaints that must be filed in the next few weeks in order to ensure compliance with the FMC's rules and regulations.

7. All of these matters involve complex issues of fact and law and will require virtually all of Counsel's time during this period. Thus, in order to consult with Baltic and to ensure

full and fair consideration of the issues to be raised in the Exceptions, an extension of time is necessary.

WHEREFORE, Baltic respectfully requests that the Commission allow it a 40-day extension, up to and including November 16, 2015, to file its Exceptions to the Initial Decision.

Dated: September 25, 2015
Brooklyn, NY

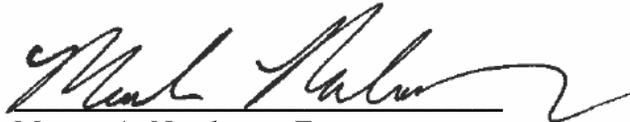
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Marcus A. Nussbaum", written over a horizontal line.

Marcus A. Nussbaum, Esq.
P.O. Box 245599
Brooklyn, NY 11224
Tel: 888-426-4370
Attorney for Complainant

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the **BALTIC AUTO SHIPPING, INC.'S MOTION TO ENLARGE TIME FOR FILING EXCEPTIONS TO INITIAL DECISION ON RESPONDENTS' MOTION FOR PARTIAL SUMMARY DECISION** upon Respondents' Counsel, The Law Office of Doyle & Doyle, with the address of 636 Morris Turnpike, Short Hills, NJ 07078 by first class mail, postage prepaid, and by email (gdoyle@doyelaw.net).



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Dated: September 25, 2015 in Brooklyn, New York.