

**BEFORE THE
FEDERAL MARITIME COMMISSION**

BALTIC AUTO SHIPPING, INC.)	
)	
)	
COMPLAINANT,)	
)	
v.)	
)	DOCKET NO. 14-16
)	
)	
MICHAEL HITRINOV a/k/a)	
MICHAEL KHITRINOV,)	
EMPIRE UNITED LINES CO., INC.,)	
)	
RESPONDENTS.)	
)	

**RESPONDENTS' MOTION TO AMEND BRIEFING SCHEDULES ON PENDING
MOTIONS**

Respondents herewith file and serve their Motion to amend the briefing schedule on pending motions.

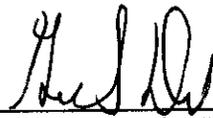
1. Consistent with Intervenor's Motion for leave to intervene and for an extension of time to respond of April 29, 2015, Respondents respectfully request and move for an extension of time to May 18, 2015 in order to file and serve opposition papers to Complainant's April 27th Motion to Amend the Amended Complaint.
2. Due to the fact that Respondents will be addressing the Complainant's Motion to Amend, and because Respondent Hitrinov (President of Respondent Empire United Lines Co., Inc.) will be unavailable for the period May 8-18, 2015, and thus not avail-

able to cooperate, advise and review Respondents' Reply papers now due May 18, 2015, Respondents' respectfully request and move for an extension of time to May 26, 2015 in order to file and serve Respondents' Reply papers to Complainant's opposition.

3. In view of the press of litigation (*i.e.*, the two Motions discussed above), Respondents' will not be able to turn to Complainant's Motion for Reconsideration until the other Motions have been filed and served. Accordingly, Respondents respectfully request and move for an extension of time to June 3, 2015 for the filing and serving of the Respondents' opposition papers.
4. On April 30, 2015 I telephoned Marcus Nussbaum, Esq., counsel for the Complainant and left a telephonic message requesting his consent to this Motion. I then emailed him making the same request, and explaining the circumstances for the need to amend the briefing schedule. (See Exhibit 1, attached).
5. Mr. Nussbaum, counsel for the Complainant has advised that Complainant:
 - a. Does not consent to an extension of time for Respondents to oppose Complainant's Motion to file a Second Amended Complaint;
 - b. Does consent to an extension of time for Respondents to file a Reply to Complainant's opposition to Respondents' Motion for Partial Summary Decision to May 26, 2015.
 - c. Does not consent to an extension of time for Respondents to oppose Complainant's Motion for Reconsideration.
 - d. (See Exhibit 1, attached.)

Respectfully submitted,

By:



Gerard S. Doyle, Jr.

THE LAW OFFICE OF DOYLE & DOYLE

636 Morris Turnpike

Short Hills, NJ 07078

973-467-4433 (Telephone)

973-467-1199 (Facsimile)

gdoyle@doylelaw.net

Attorneys for Respondents

Michael Hitrinov, a/k/a

Michael Khitrinov, and

Empire United Lines, Co., Inc.

Dated in Short Hills, NJ the first day of May 2015.

EXHIBIT 1

Gerry Doyle

From: Marcus A. Nussbaum [marcus.nussbaum@gmail.com]
Sent: Thursday, April 30, 2015 7:35 PM
To: Gerry Doyle
Cc: David Gabel
Subject: RE: Docket 14-16; Request for consent amend Briefing Schedule

Mr. Doyle:

With respect to the motion to amend the complaint, I do not consent to the adjournment as I will be opposing Mr. Werner's motion to intervene.

With respect to the motion for partial summary decision, I consent to the extension to May 26, 2015, and you can inform the Judge as to my consent.

With respect to the motion for reconsideration, this motion pertains to old facts from 2011, which your client is well aware of, so I cannot see any reason why your client needs additional time to respond to that.

****** Please note that my mailing address has changed ******

Marcus A. Nussbaum, Esq.
P.O. Box 245599
Brooklyn, NY 11224
Tel: 888-426-4370
Fax: 347-572-0439
<http://www.nussbaumlawfirm.com/>

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From: Gerry Doyle [mailto:gdoyle@doylelaw.net]
Sent: Thursday, April 30, 2015 7:05 PM
To: Marcus A. Nussbaum
Cc: Gerry Doyle
Subject: RE: Docket 14-16; Request for consent amend Briefing Schedule

Mr. Nussbaum:

Empire intends to oppose the motion. I do not know what Intervenors will do.

Gerard Doyle

From: Marcus A. Nussbaum [<mailto:marcus.nussbaum@gmail.com>]
Sent: Thursday, April 30, 2015 5:27 PM
To: Gerry Doyle
Cc: David Gabel
Subject: RE: Docket 14-16; Request for consent amend Briefing Schedule

Mr. Doyle,

While I consult with my client regarding the request, can you please clarify who will be putting in opposition to the motion to amend the complaint, will it be you or Mr. Werner, or both?

***** Please note that my mailing address has changed *****

Marcus A. Nussbaum, Esq.
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From: Gerry Doyle [<mailto:gdoyle@doylelaw.net>]
Sent: Thursday, April 30, 2015 3:50 PM
To: Marcus A. Nussbaum
Cc: Gerry Doyle; David Gabel
Subject: Docket 14-16; Request for consent amend Briefing Schedule

Mr. Nussbaum:

This confirms the telephone message I left with your office.

I request your consent to amend the motion briefing schedule with respect to the Respondent's papers as follows:

- Motion to Amend Complaint: from 5/4 to 5/18, consistent with Intervenors' request.
- Response to your Reply to Respondents' Motion for Partial Summary Decision: In view of Mr. Hitrinov's unavailability, and working on the response to the Motion to Amend Complaint, from 5/18 to 5/26 (to account for Memorial Day).
- Motion for Reconsideration: to June 3, in light of the time necessary to address the other motions.

Thank you for your courtesy.

Gerard S. Doyle, Jr.
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(973) 467-4433 (x. 3)
(973) 467-1199 (fax)
gdoyle@doylelaw.net

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the RESPONDENTS' MOTION TO AMEND BRIEFING SCHEDULES ON PENDING MOTIONS upon Complainant's counsel, Marcus A. Nussbaum, Esq., with the address of P.O. Box 245599, Brooklyn, NY 11224 by first class mail, postage prepaid and by email (marcus.nussbaum@gmail.com); and that the original and five (5) copies are being filed with the Secretary of the Federal Maritime Commission.



Gerard S. Doyle, Jr.

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Attorneys for Respondents

Michael Hitrinov, a/k/a

Michael Khitrinov, and

Empire United Lines, Co., Inc.

Dated in Short Hills, NJ. this first day of May, 2015.