



3. Respondents' submit that this amounts to something "huge" to be analyzed, fact checked and responded to by May 18.
4. Further, as Respondents have advised, an extension is required as Respondent Hitrinov will not be readily available to assist in the fact checking and response.
5. Finally, Complainants have already consented to an extension until May 26, 2015 (see Complainant's Opposition to Respondents' Motion to Amend the Briefing Schedule, p. 2: "As stated by the respondents' counsel, the undersigned [Attorney for Complainant] has consented to extend respondents' time to reply to the Motion for Partial Summary Decision ... to May 26, 2015." (Pages 1 and 2 of Complainant's Opposition are attached as Exhibit 1.)
6. Accordingly, Respondents' respectfully request an extension of time to May 26, 2015 to serve and file its Reply to Complainant's Opposition to Respondents' Motion for Partial Summary Decision.

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 eleventh day of May 2015.

**EXHIBIT 1**

**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.*

---

**COMPLAINANT’S BRIEF IN OPPOSITION TO THE MOTION BY  
RESPONDENTS TO AMEND THE BRIEFING SCHEDULES ON PENDING MOTIONS**

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 to amend the briefing schedules for the various motions currently before the Commission.

As the Commission may recall, there are four separate motions currently being briefed before the Commission:

1. The respondents’ Motion for Partial Summary Decision (Complainant’s opposition due May 8, 2015 and Respondents’ reply due May 18, 2015);
2. The complainant’s Motion to Amend the Complaint (respondent’s opposition due May 4, 2015);
3. The complainant’s Motion for Reconsideration (respondent’s opposition due May 7, 2015); and

4. The Motion by Jon Werner, Esq. and Lyons & Flood LLP for Leave to Intervene and Obtain an Extension of Time to Oppose Complainant's Motion to Amend the Complaint (complainant's opposition due May 14, 2015).

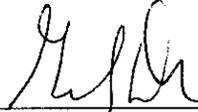
As stated by respondents' counsel, the undersigned has consented to extend respondents' time to reply to the Motion for Partial Summary Decision (Motion #1 above) to May 26, 2015. This brief in opposition is therefore directed towards counsel's arguments seeking an extension of time for the remaining three motions.

As the Commission may recall, the complainant filed a motion to amend the complaint to add Jon Werner, Esq. and Lyons & Flood LLP as respondents to the instant action (Motion #2). That motion contains a detailed procedural history and discusses the various acts which complainant alleges that Mr. Werner and his firm committed in violation of 46 U.S.C. §41104(3) (retaliation under the Shipping Act of 1984 because the complainant has filed a complaint with the Commission). This is the same motion for which Mr. Werner and respondents' counsel, Mr. Doyle, now both seek an extension of time to file a response (to May 18, 2015). As explained in the motion to amend the complaint, Mr. Werner represents the respondents in two separate federal actions in which complainant is being sued by the respondents (in the Eastern District of New York, and the District of New Jersey).

The undersigned represents the complainant in both of those Federal actions, and there is currently a settlement conference scheduled for the District of New Jersey action on May 15, 2015. The undersigned was recently contacted by Mr. Werner regarding the rescheduling of a motion for sanctions against the undersigned and the complainant, and during that discussion, he also explained that could not consent to adjourn the settlement conference of May 15, 2015, stating that the respondent: "*has also arranged in advance to keep May 15 free*, since he knows that his in-person attendance will be required. *He will be away on holiday from late May to mid-June* so

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the RESPONDENTS' MOTION FOR AN EXTENSION OF TIME TO SERVE AND FILE REPLY TO COMPLAINANT'S OPPOSITION TO MOTION FOR SUMMARY DECISION 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](mailto: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.

**THE LAW OFFICE OF DOYLE & DOYLE**

636 Morris Turnpike

Short Hills, NJ 07078

973-467-4433 (Telephone)

973-467-1199 (Facsimile)

[gdoyle@doylelaw.net](mailto:gdoyle@doylelaw.net)

**Attorneys for Respondents**

**Michael Hitrinov, a/k/a**

**Michael Khitrinov, and**

**Empire United Lines, Co., Inc.**

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