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FEDERAL MARITIME COMMISSION

**BEFORE THE
FEDERAL MARITIME COMMISSION**

Docket No. 15-08

GENERAL MOTORS LLC

Complainant,

v.

**NIPPON YUSEN KABUSHIKI KAISHA;
WALLENIUS WILHELMSSEN LOGISTICS AS; and
EUKOR CAR CARRIERS INC.**

Respondents.

JOINT STATUS REPORT

Pursuant to the January 5, 2016 Order Granting the Joint Motion to Stay Proceedings, *General Motors LLC v. Nippon Yusen Kabushiki Kaisha, et al.*, ___ SRR ___, 2016 WL 232546, *2 (Fed. Mar. Comm'n Dkt. No. 15008, A.L.J. Order, Jan. 5, 2016) (the "Order"), Complainant General Motors LLC ("GM") and the specially appearing Respondents Nippon Yusen Kabushiki Kaisha ("NYK Japan"), Wallenius Wilhelmsen Logistics AS ("WWL Norway"), and EUKOR Car Carriers, Inc. ("EUKOR") (collectively, "the Specially Appearing Respondents"), hereby submit the following Joint Status Report.

1. On July 25, 2016, GM and WWL Norway and EUKOR filed: (1) a Joint Motion and Memorandum for Approval of Settlement Agreement, and Dismissal with Prejudice of the Complaint against WWL Norway and EUKOR, and Treatment of Settlement Agreement as Confidential; and (2) a Joint Motion to Seal Confidential Settlement Agreement. These motions currently are pending before the Presiding Officer. Once granted, WWL Norway and EUKOR

will be dismissed with prejudice from the above-captioned action. NYK Japan will remain as the only respondent in the above-captioned action.

2. Since November 12, 2015, when GM and the Specially Appearing Respondents filed their Joint Supplemental Memorandum Regarding Joint Motion to Stay Proceedings in the above-captioned action, briefing was completed in *General Motors LLC v. Nippon Yusen Kabushiki Kaisha, et al.*, MDL No. 2471, Case No. 15-cv-04739-ES-JAD (D.N.J.) (the “U.S. District Court Case”) on the issue of the applicability of the U.S. District Court’s August 28, 2015 opinion and order, if any, to the complaint filed by GM in that case.

3. As of the date of this filing, the U.S. District Court neither has scheduled oral argument nor ruled on any issue raised in the briefs submitted in the U.S. District Court Case. Similarly, as of the date of this filing, there are no other hearings scheduled in the U.S. District Court Case.

4. On July 18, 2016, and pursuant to *Fed. R. Civ. P.* 41(a)(1)(A)(i), GM filed a notice of voluntary dismissal with prejudice of the claims asserted in the U.S. District Court Case against WWL Norway and EUKOR; on July 20, 2015, the U.S. District Court ordered that the claims asserted in the U.S. District Court Case against WWL Norway and EUKOR be, and the same are now, dismissed with prejudice. NYK Japan remains a defendant in the U.S. District Court Case.

5. Pursuant to the Order, on January 28, 2016 and April 25, 2016, GM and the Specially Appearing Respondents filed their Joint Status Reports.

6. Pursuant to the Order, GM and the Specially Appearing Respondents will file a status report within thirty (30) days of any dispositive ruling in the U.S. District Court Case, and, in any event, by October 28, 2016.

Dated: July 28, 2016

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document on all parties of record by electronic mail, and submitted a copy via U.S. mail to each such person.

DATED: July 28, 2016



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