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February 25, 2016					
FEDERAL	MARITIME	COMMISSION			

FEDERAL MARITIME COMMISSION

DOCKET NO. 16-02

D.F. YOUNG, INC.

v.

NYK LINE (NORTH AMERICA) INC.

ORDER ENLARGING TIME TO RESPOND

The Initial Order issued in this proceeding states that “[a]ny request for action by the Commission or presiding officer must be made by motion, not by letter or email request.” *D.F. Young, Inc. v. NYK Line (North America) Inc.*, FMC No. 16-02 (ALJ Feb. 5, 2016) (Initial Order). Nevertheless, on February 23, 2016, an attorney entered an appearance for Respondent and sent a letter to the undersigned stating he had included:

a Proposed Order granting Respondent an extension of one week to answer the complaint. The request for extension has been agreed to by . . . counsel for the Complainant The reason we are requesting an extension is that I am in the process of moving my office this week from New York City to White Plains and require an additional week to complete the move and meet with Respondent in order to answer the complaint.

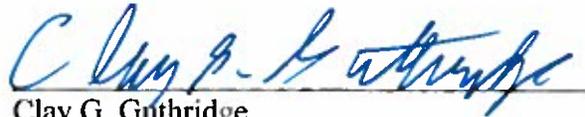
Because of the move, the undersigned respectfully requests that an extension of time to respond to the Complaint be granted up to and including March 7, 2016.

(Letter dated February 23, 2016, from counsel for Respondent to Judge Guthridge.)

This is precisely the kind of action that the Initial Order requires be made by motion, not by letter or email request. Given the circumstances stated in the letter and Complainant’s assent to the request, on this occasion, the undersigned will construe the letter as a motion and grant the extension. Therefore, it is hereby

ORDERED that the time for Respondent to answer or otherwise respond to the Complaint be enlarged to March 7, 2016. It is

FURTHER ORDERED that counsel for the parties read the Initial Order and comply with its provisions as well as the Commission's Rules of Practice and Procedure governing this proceeding. 46 C.F.R. Part 502.



Clay G. Guthridge
Administrative Law Judge