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June 3, 2016					
FEDERAL MARITIME COMMISSION					

FEDERAL MARITIME COMMISSION

DOCKET NO. 16-12

**PRO TRANSPORT, INC., PRO TRANSPORT JACKSONVILLE, INC.,
PRO TRANSPORT SAVANNAH, INC., and PRO TRANSPORT CHARLESTON, INC.**

v.

SEABOARD MARINE OF FLORIDA, INC. and SEABOARD MARINE LTD., INC.

ORDER ENLARGING TIME TO ANSWER OR OTHERWISE RESPOND

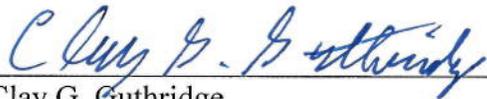
On May 12, 2016, the Commission issued a Notice of Filing of Complaint and Assignment (Notice) for this proceeding and sent the Complaint and Notice to Respondents. Pursuant to Commission rules, Respondent must answer or otherwise respond to the Complaint on or before June 6, 2016. 46 C.F.R. § 502.63(b).

On June 3, 2016, Respondents filed an Unopposed Motion to Stay Proceeding Pending Mediation. Respondent states that Complainants commenced an action against Respondents in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County Florida under the caption and docket number *Pro Transport, Inc., Pro Transport Jacksonville, Inc., Pro Transport Savannah, Inc., and Pro Transport Charleston, Inc. v. Seaboard Marine Ltd., Inc.*, Case No. 16-9612-CA-01 (the state court case). This proceeding before the Commission “raises many of the same factual and legal issues as the State court case.” (Unopposed Motion at 2.) The judge in the state court case has ordered the parties to engage in mediation. A mediation session is scheduled for June 30, 2016. “The mediation will cover and hopefully resolve all the issues raised in both the State court and FMC case.” (*Id.*) “Staying this proceeding before the Commission pending resolution of the mediation allows the parties to concentrate on resolving both cases in the near future while in the process conserving the resources of the Commission and the Parties.” (*Id.*) Respondents “request that their joint motion to stay proceedings be granted pending completion of the State court ordered mediation on June 30, 2016.” (*Id.* at 5.)

As noted above, Respondents currently must answer or otherwise respond to Complainants' Commission Complaint on or before June 6, 2016. The Commission has ordered the presiding officer to issue an initial decision in this proceeding by May 12, 2017. If the mediation is extended and ultimately unsuccessful, an indefinite stay of this proceeding pending completion of the State court ordered mediation as requested by Respondents may leave the presiding officer insufficient time to issue an initial decision by the date ordered by the Commission. Nevertheless, Respondents have stated good cause for enlarging the date by which Respondents must answer or otherwise respond to the Complaint. Therefore, it is hereby

ORDERED that the time for Respondents to answer or otherwise respond to the Complaint be enlarged to July 13, 2016. No further enlargements to answer will be granted. It is

FURTHER ORDERED that if the parties enter into an agreement resolving their issues, the parties notify the undersigned forthwith.



Clay G. Guthridge
Administrative Law Judge