S E R V E D
May 16, 2008
FEDERAL MARITIME COMMISSION

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WASHINGTON, D.C.

DOCKET NO. 06-05

VERUCCI MOTORCYCLES, LLC

v.

SENATOR INTERNATIONAL OCEAN, LLC

SECOND ORDER REGARDING ALTERNATIVE DISPUTE RESOLUTION

On May 7, 2008, the Commission issued an Order reopening this proceeding "for the purpose of taking further evidence," *Verucci Motorcycles, LLC v. Senator International Ocean, LLC*, FMC No. 06-05, slip op. at 5 (May 7, 2008) (Order Reopening the Proceeding), and remanding it to the presiding Administrative Law Judge. The Commission's Order directed that I "instruct the parties upon the availability of alternative dispute resolution (ADR), and . . . determine whether the matter should be referred to the Office of Consumer Affairs and Dispute Resolution Services to assist the parties." *Id.* at 5-6. Pursuant to this direction, I directed the parties to contact Ronald D. Murphy, the Commission's Alternative Dispute Resolution Specialist, to discuss the feasibility of resolving this matter through alternative dispute resolution. I asked Mr. Murphy to advise me in writing: (1) whether each party has complied with the directive to consult with the Commission's Alternative Dispute Resolution Specialist; and (2) whether the parties agree to engage in alternative dispute resolution. *Verucci Motorcycles, LLC v. Senator International Ocean, LLC*, FMC No. 06-05 (ALJ May 8, 2008) (Order Regarding Alternative Dispute Resolution).

I have been advised by Mr. Murphy that "both parties to the subject proceeding have contacted me and agreed to mediate the matter. I will be contacting them next week with respect to arranging for the mediation." *See* attached email dated Friday May 16, 2008, 2:31 PM from Ronald Murphy to Clay Guthridge. Therefore, I ask Mr. Murphy to advise me in writing on June 13, 2008, or on such earlier date as he deems appropriate, whether the parties have reached a settlement.

Clay G. Guthridge
Administrative Law Judge

Clay Guthridge

From: Ronald Murphy

Sent: Friday, May 16, 2008 2:31 PM

To: Clay Guthridge

Subject: Docket 06-05: Veruccii Motorcycles, LLC v. Senator Internation Ocean, LLC

Judge Guthridge,

By this email, I am advising you that both parties to the subject proceeding have contacted me and agreed to mediate the matter. I will be contacting them next week with respect to arranging for the mediation.

Ronald D. Murphy, Director
Office of Consumer Affairs & Dispute Resolution Services
Federal Maritime Commission
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