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FEDERAL MARITIME COMMISSION

WASHINGTON, D.C.

DOCKET NO. 08-03

MAHER TERMINALS LLC

v.

PORT AUTHORITY OF NEW YORK AND NEW JERSEY

JOINT MOTION FOR 45-DAY EXTENSION OF DISCOVERY ORDER DEADLINES AND FOR A TELECONFERENCE

Complainant Maher Terminals LLC ("Maher") and Respondent Port Authority of New York and New Jersey (the "Port Authority"), through their respective attorneys, hereby jointly request a 45-day extension of the deadlines set forth in the Memorandum and Order on Discovery Motions ("Discovery Order") and the Order to Submit Proposed Schedule ("Scheduling Order"), both issued July 23, 2010 by the Presiding Officer. The parties have been engaged in productive settlement discussions and appear to be approaching a conclusion of such discussions. Therefore, the parties respectfully request a 45-day stay of the deadlines contained in the Discovery Order and the Scheduling Order to complete such discussions without additional unnecessary litigation burden and expense. Compliance with the deadlines in the Discovery Order and Scheduling Order would require the parties to incur significant additional such costs and expenses immediately.

Should the request sought herein be granted, the new deadlines would be as follows (1) on or before September 20, 2010, the Port Authority would serve the supplemental responses and the Certificate of Counsel required by the Discovery Order, (2) on or before September 20, 2010, Maher would serve the supplemental responses and the Certificate of Counsel required by the Discovery Order, (3) on or before October 4, 2010, the Port Authority would file a notice stating whether it still seeks the information described in the third-party subpoenas, and (4) on or before October 4, 2010, the parties would file the proposed schedule required by the Scheduling Order.

In light of the August 6 and 20, 2010 deadlines set forth in the Discovery Order and Scheduling Order, the parties also respectfully request that the Presiding Officer grant our joint motion for extensions of time as soon as possible. If the Presiding Officer wishes, the parties are available for a conference call immediately to discuss the instant motion at the Presiding Officer's earliest convenience.

Respectfully submitted,

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