

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

REGION 20, SUBREGION 37

HTH CORPORATION, PACIFIC BEACH CORPORATION, and
KOA MANAGEMENT, LLC, a SINGLE EMPLOYER, d/b/a
PACIFIC BEACH HOTEL,

and

Cases 37-CA-7311
37-CA-7334
37-CA-7422
37-CA-7448
37-CA-7458
37-CA-7476
37-CA-7478
37-CA-7482
37-CA-7484
37-CA-7488
37-CA-7537
37-CA-7550
37-CA-7587

HTH CORPORATION d/b/a PACIFIC BEACH HOTEL

and

Case 37-CA-7470

KOA MANAGEMENT, LLC d/b/a PACIFIC BEACH HOTEL

and

Case 37-CA-7472

PACIFIC BEACH CORPORATION d/b/a PACIFIC BEACH
HOTEL

and

Case 37-CA-7473

INTERNATIONAL LONGSHORE AND WAREHOUSE UNION,
LOCAL 142

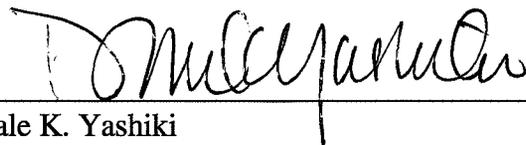
GENERAL COUNSEL'S OPPOSITION TO RESPONDENTS' MOTION TO REMAND AND REOPEN THE RECORD FOR THE TAKING OF ADDITIONAL EVIDENCE

Counsel for the General Counsel submits this opposition to Respondents' Motion to Remand and Reopen the Record for the Taking of Additional Evidence. First, it must be noted that Respondents have erroneously cited Section 102.48(d)(1) of the Rules and Regulations of the National Labor Relations Board as the Section under which they submit their Motion. By its clear language, Section 102.48(d)(1) applies to motions for "reconsideration, rehearing or reopening of the record after the Board decision or order." (Emphasis added).

Second, and more importantly, Respondents' Motion is inappropriate. The appropriate document for raising a request to emand and reopen is in Respondents' exceptions. In fact, the allegations contained in Respondents' Memorandum in Support of the Motion are addressed in Respondents' Exceptions A, B, C, D and I, and are essentially the same arguments contained on pages 6 through 13 of their Brief in Support of Exceptions to the Administrative Law Judge's Decision. Therefore, the issues raised in this Motion will be addressed by the Board when it issues its final decision in this matter.

Finally, Respondents' allegations are wholly without merit and will be addressed by Counsel for the General Counsel in its Answering Brief to Respondents' Exceptions. For these reasons, we respectfully request that Respondents' Motion be denied.

Dated: Honolulu, Hawaii, November 2, 2009.



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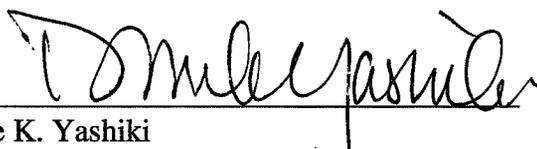
CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the General Counsel's Memorandum in Opposition to Respondents' Motion To Remand And Reopen The Record For The Taking Of Additional Evidence has this day been served by electronic mail and by regular U.S. Mail, postage pre-paid, upon the following persons at their last-known addresses:

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Dated at Honolulu, Hawaii, this 2nd day of November 2009.



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