

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 20, SUBREGION 37

STEPHENS MEDIA, LLC, d/b/a
HAWAII TRIBUNE-HERALD

and

Cases 37-CA-7043
37-CA-7045
37-CA-7046
37-CA-7047
37-CA-7048
37-CA-7084
37-CA-7085
37-CA-7086
37-CA-7087
37-CA-7112
37-CA-7114
37-CA-7115
37-CA-7186

HAWAII NEWSPAPER GUILD,
LOCAL 39117, COMMUNICATIONS
WORKERS OF AMERICA, AFL-CIO

COUNSEL FOR THE GENERAL COUNSEL'S MOTION TO STRIKE RESPONDENT'S
REPLY BRIEF OR, IN THE ALTERNATIVE, TO STRIKE RESPONDENT'S FOOTNOTES

Pursuant to Section 102.47 of the Board's Rules and Regulations, and for the reasons set forth below, Counsel for the General Counsel moves to strike the Reply Brief of Hawaii Tribune-Herald to Counsel for the General Counsel's Answering Brief (the "Reply Brief"), or in the alternative, to strike the footnotes contained in the Reply Brief, on the grounds that the Reply Brief does not comply with Sections 102.46(h) and 102.114 of the Board's Rules and Regulations.

Section 102.46(h) of the Board's Rules and Regulations states that "[a]ny reply brief filed pursuant to this subsection . . . shall not exceed 10 pages." This 10 page limitation is so strict

that the rules prohibit the granting of permission “to exceed the 10 page length limitation.”
Section 102.46(h). The Board’s Rules and Regulations also state that papers filed with the Board
“shall be in a typeface no smaller than 12 characters-per-inch (elite or the equivalent). . . .” and
that “[n]onconforming papers may, at the Agency’s discretion, be rejected.” Section 102.114(d).

Respondent’s Reply Brief contains 14 footnotes that are in a 10 point, rather than 12
point, typeface. If these footnotes were in a 12 character-per-inch typeface, as required by the
rules, Respondent’s Reply Brief would exceed the strict 10 page limit set forth in the Board’s
rules.¹

WHEREFORE, in consideration of the above, Counsel for General Counsel respectfully
requests that the Board grant the instant motion to strike Respondent’s Reply Brief in its entirety
or, in the alternative, to strike Respondent’s footnotes.

Dated at Honolulu, Hawaii, this 9th day of July, 2008.

Respectfully submitted,



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¹ It is worth noting that Respondent used a 12 point typeface for the footnotes contained in
its Brief in Support of Exceptions to the Recommended Decision and Order of the
Administrative Law Judge.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of Counsel for the General Counsel's Motion to Strike Respondent's Reply Brief or, In the Alternative, to Strike Respondent's Footnotes has this day been served as described below upon the following persons at their last-known address:

1 copy	L. Michael Zinser, Esq. The Zinser Law Firm 414 Union Street, Suite 1200 Bank of America Plaza Nashville, TN 37219	VIA Express Mail
1 copy	Lowell Chun-Hoon, Esq. King Nakamura & Chun-Hoon Central Pacific Plaza 220 S. King Street, Suite 980 Honolulu, HI 96813	VIA Hand-Delivery
1 copy	Wayne Cahill, Administrative Officer Hawaii Newspaper Guild 888 Mililani Street, Suite 303 Honolulu, HI 96813	VIA Hand-Delivery

DATED at Honolulu, Hawaii, this 9th day of July 2008.



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