

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**  
**REGION 20**

STEVENS CREEK CHRYSLER, JEEP DODGE,  
INC.

Respondent / Employer

and

MACHINISTS DISTRICT LODGE 190,  
MACHINISTS AUTOMOTIVE LOCAL 1101,  
INTERNATIONAL ASSOCIATION OF  
MACHINISTS AND AEROSPACE WORKERS  
OF AMERICA, AFL-CIO

Charging Party

Cases Nos.:

20-CA-33367

20-CA-33562

20-CA-33603

20-CA-33655

**RESPONDENT'S REQUEST FOR EXTENSION OF TIME  
TO FILE ANSWERING BRIEF IN OPPOSITION TO  
GENERAL COUNSEL'S EXCEPTIONS**

Respondent hereby submits its request pursuant to Section 102.46 (d) of the Board's Rules and Regulations for a four-week extension of time to submit its Answering Brief in Opposition to the General Counsel's exceptions and supporting brief to the decision of the Administrative Law Judge (ALJ) in the above referenced matter and in support thereof states as follows:

1. The original due date to file exceptions and supporting briefs was July 29, 2008. General Counsel requested a two week extension of time to file its exceptions and supporting brief on July 22, 2008. This request was granted by the Board, with an extended due date of August 12, 2008. Respondent's answer is currently due on August 26, 2008.

2. Upon review of General Counsel's exceptions, numerous errors to transcript and ALJ Decision citations were immediately apparent. These errors have made locating the accurate citations to allow a response to the exceptions much more difficult and time consuming.
3. This request for an extension of time is made in light of the extensive record in this proceeding (nine days of hearing), the detailed ALJ decision, and the extensive (and often inaccurate) exceptions filed by the General Counsel.
4. Counsel for Respondent also has an extensive work load and travel schedule which impacts on its ability to answer within the 14 day limit under Section 102.46(d). Counsel has five on-going collective bargaining sessions involving different unions, four of which involve different nursing home facilities across the state, necessitating extensive travel; is involved in complying with a California state agency-issued extensive subpoena requiring archive file searches for time and pay records spanning 10 years; is preparing for a several week hearing before the Agricultural Labor Relations Board involving multiple charges covering a nine year period, numerous witnesses, thousands of pages of subpoenaed documents and novel legal issues; and has work and personal time already scheduled out of state.
5. Both Counsel for the General Counsel and Charging Party's counsel have been notified of this request for an extension of time, and have not responded as to their agreement or disagreement.

WHEREFORE, Respondent respectfully requests that its Request for an extension of time to file its answer in opposition to General Counsel's exceptions and supporting brief be granted, with an extended due date of September 23, 2008. A copy of this request is being served on General Counsel and Charging Party.

Dated: August 19, 2008

Respectfully submitted,



Daniel T. Berkley  
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Fax: (415) 986-8054  
Counsel for Respondent Stevens  
Creek Chrysler Jeep Dodge, Inc.

CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Gordon & Rees LLP 275 Battery Street, Suite 2000, San Francisco, CA 94111. On August 20, 2008, I served the within documents:

➤ **RESPONDENT'S REQUEST FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF IN OPPOSITION TO GENERAL COUNSEL'S EXCEPTIONS**

- by transmitting via facsimile, with their permission, the document(s) listed above to the fax number(s) set forth below on this date before 4:00 p.m.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
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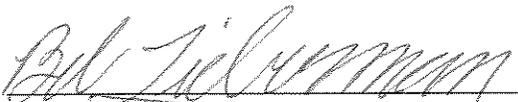
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 20, 2008 at San Francisco, California.

  
\_\_\_\_\_  
Bob Lieberman

560003

# FACSIMILE TRANSMISSION

GORDON & REES LLP

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**DATE:** August 20, 2008

**To:**

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**FROM:** Bob Lieberman

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