

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

AMERICAN BENEFIT CORPORATION

Employer

and

**Cases 9-CA-44679
9-CA-44701**

**TEAMSTERS LOCAL UNION NO. 505,
AFFILIATED WITH THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS**

Charging Party

**MOTION FOR EXTENSION OF TIME TO FILE EXCEPTIONS
TO DECISION OF ADMINISTRATIVE LAW JUDGE
ON BEHALF OF AMERICAN BENEFIT CORPORATION**

American Benefit Corporation, by counsel, Michael E. Estep and Jenkins Fenstermaker, PLLC, hereby requests an extension of the time period for filing exceptions to the Decision of Administrative Law Judge issued in this matter. In support of this Motion, American Benefit states as follows:

1. The Decision of Administrative Law Judge was issued on July 2, 2009.
2. The Order Transferring Proceeding to the National Labor Relations Board, also issued on July 2, 2009, states that the parties have until July 30, 2009 to file exceptions to the Decision of the Administrative Law Judge.
3. Counsel for American Benefit is in the process of preparing exceptions to the Decision of Administrative Law Judge. However, counsel for American Benefit has recently been unable to dedicate sufficient time to drafting these exceptions because of the health of his pregnant wife, who was recently placed on partial bed rest. As a result, counsel for American Benefit has had increased child care duties, which has taken him away from the office.

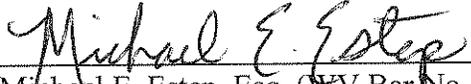
4. Additionally, counsel for American Benefit has had conversations with National Labor Relations Board, Region 9 Compliance Officer John Grove regarding this matter. According to Mr. Grove, the charging party, Teamsters Local Union No. 505, is interested in exploring the possibility of resolving this matter. American Benefit is also interested in exploring the potential of resolving this matter without further action by the Board and has been informed by Mr. Grove that resolution of this matter will be explored further.

5. Accordingly, American Benefit requests that the period for filing exceptions to the Decision of Administrative Law Judge be extended for a period of thirty (30) days.

WHEREFORE, American Benefit Corporation respectfully requests that the period for filing exceptions to the Decision of Administrative Law Judge be extended for the reasons set forth above.

AMERICAN BENEFIT CORPORATION

By Counsel


Michael E. Estep, Esq. (WV Bar No. 8540)
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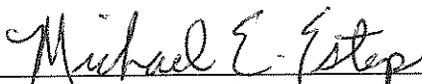
Charging Party

CERIFICATE OF SERVICE

I, Michael E. Estep, counsel for American Benefit Corporation, hereby certify that on July 28, 2009, I electronically served a copy of the foregoing "*Motion for Extension of Time to File Exceptions to Decision of Administrative Law Judge on Behalf of American Benefit Corporation*" upon the following counsel of record:

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