

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

**BASHAS' INC.**

**and**

**Case 28-CA-21435**

**Case 28-CA-21501**

**UNITED FOOD AND COMMERCIAL  
WORKERS UNION, LOCAL 99**

**and**

**Case 28-CA-21590**

**28-CA-21592**

**28-CA-21639**

**28-CA-21640**

**28-CA-21646**

**28-CA-21676**

**28-CA-21739**

**UNITED FOOD AND COMMERCIAL  
WORKERS INTERNATIONAL**

**28-CA-21785**

**28-CA-21803**

**BASHAS' INC.'S  
REQUEST FOR EXTENSION OF TIME TO FILE EXCEPTIONS**

Pursuant to Section 102.46 of the Board's Rules and Regulations, Respondent Bashas' Inc. ("Bashas'") requests an extension of time in which all parties may file exceptions with the Board, and briefs in support of those exceptions, in this matter. Bashas' is requesting that the current deadline of October 22, 2009 be extended until December 7, 2009. This is the first motion for an extension in this matter.

Bashas' is seeking this extension because the parties are engaged in settlement discussions that could entirely resolve this matter. To engage in meaningful settlement discussions, however, the General Counsel needs sufficient time to obtain information from, and determine appropriate backpay calculations for, the 30+ employees affected in this matter. Similarly, Bashas' will need to evaluate those calculations and the parties will then need time to negotiate their differences. Because the time period in question spans more than two years and the calculations are complicated by intermittent facility closures, reductions in Bashas' workforce, and Bashas' filing for Chapter 11 bankruptcy, the time needed to explore settlement in this case is greater than in less complex matters.

Alternatively, the underlying Complaint contained more than 80 separate allegations, requiring a hearing that took a combined four weeks. During the hearing, the parties presented approximately 40 witnesses and over 200 exhibits. The hearing transcript was over 2800 pages long, while Administrative Law Judge Schmidt's decision spanned 97 pages. Even in the absence of any settlement discussions, 30 days would be an insufficient time period to adequately brief the complex and numerous issues in this matter.

Bashas' Counsel has spoken with the Charging Party's Counsel and the Charging Party does not oppose this request. Bashas' Counsel also has spoken with the Counsel for the General Counsel and the General Counsel is unwilling to agree to an extension greater than two weeks. Because the General Counsel has not provided Bashas' with any backpay calculations to date, and to avoid what likely would be an inevitable request for a second extension of time to file exceptions, Bashas' moves for an order extending the time to file exceptions from October 22, 2009 until December 7, 2009.

DATED this 8th day of October, 2009.

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CERTIFICATE OF SERVICE

The undersigned certifies that I filed an electronic copy of the foregoing via the Board's electronic filing service on October 8, 2009, to:

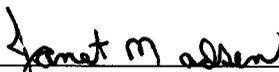
Lester Heltzer  
Executive Secretary  
National Labor Relations Board  
1099 14th Street N.W.  
Washington D.C. 20570

The undersigned certifies that I served a copy of the foregoing via e-mail on October 8, 2009, to:

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