

**BEFORE THE
NATIONAL LABOR RELATIONS BOARD**

NEXEO SOLUTIONS, LLC,)	
)	
and)	
)	
TRUCK DRIVERS, OIL DRIVERS, FILLING STATION AND PLATFORM WORKERS' UNION, LOCAL NO. 705, AN AFFILIATE OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS,)	CASES 13-CA-46694 13-CA-62072 20-CA-35519
)	
and)	
)	
BROTHERHOOD OF TEAMSTERS AND AUTO TRUCK DRIVERS, LOCAL NO. 70 OF ALAMEDA COUNTY, AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS)	

**MOTION OF CHARGING PARTY LOCAL 705,
INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
TO EXTEND PAGE LIMIT**

Charging Party Local 705, International Brotherhood of Teamsters ("Local 705"), by its undersigned counsel, hereby moves pursuant to Section 102.46(j) of the Board's Rules and Regulations for an extension of the page limit for its brief in support of Local 705's exceptions to the Administrative Law Judge's decision, and states:

1. Local 705's exceptions to the decision of the Administrative Law Judge ("ALJ") are due on October 18, 2012.
2. Local 705 will address numerous legally, factually, and procedurally complex issues in its exceptions and brief in support. Among other things, Local 705's brief will address multiple alternative grounds for perfectly clear successorship; the ALJ's misapplication of Spruce Up, 209 NLRB 194 (1974), to this case; the continuing viability of Spruce Up in light of its tension with NLRB v. Burns International Security Systems, 406 U.S. 272 (1972) and conflicting Board

precedents; the ALJ's erroneous findings and failure to make findings with regard to the Respondent's deception of employees; issues of agency and hearsay underlying the ALJ's exclusion of evidence relevant to Respondent's perfectly clear successor status; and the ALJ's failure to find additional violations with respect to overtime policy and certain information requests.

3. The portion of the hearing in which Local 705 was directly involved, in Chicago, Illinois, lasted three days with over 550 pages of testimony and approximately 75 exhibits. Also in issue are the ALJ's denial of motion to reopen the hearing and exclusion of various exhibits and testimony.

4. In the interest of justice, in order to have an opportunity to address these important issues fully in a manner that will be coherent and helpful to the Board, there is good cause to extend the page limit for Local 705's brief in support of its exceptions to 75 pages.

WHEREFORE, Charging Party Local 705 respectfully requests an order allowing it to file a brief not in excess of 75 pages in support of its exceptions.

Respectfully submitted,

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October 5, 2012

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served the foregoing Motion to Extend Page Limit on the following parties of record by e-mail on October 5, 2012:

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