

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 5**

UNITE HERE LOCAL 7,

Charging Party,

and

ONSITE NEWS,

Respondent

**Case Nos. 05-CA-076019
 05-RD-001500**

CHARGING PARTY UNITE HERE LOCAL 7'S REQUEST FOR EXTENSION OF TIME

December 17, 2012

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Attorneys for UNITE HERE! Local 7

Pursuant to 29 CFR §§ 102.46 and 102.111, Charging Party UNITE HERE Local 7 (“Charging Party”) requests an extension of time to respond to the Respondent’s exceptions in this case. The requested extension is from December 19 to January 2, 2013. Charging Party makes this request for the following reasons.

1. The Respondent’s exceptions were due on December 5, 2012. Respondent apparently filed its exceptions on that day, but did not serve the exceptions until two days later when it did so by email. A copy of the email message is attached as Exh. A. Thus, Respondent violated the Board’s service rules, 29 CFR § 102.114, and deprived the Charging Party of two days of the period of time in which to respond to the exceptions.

2. The Charging Party made a Freedom of Information Act request to the Region for the transcript of the hearing on December 12, 2012. To date, the Region has not provided the transcript. The Charging Party needs the opportunity to review the transcript before submitting a response.

Counsel for the General Counsel has advised that he has no objection to the request. Counsel for the Respondent has not responded.

Accordingly, the Charging Party respectfully requests that its request for an extension until January 2, 2013 be granted.

DATED: December 17, 2012

DAVIS, COWELL & BOWE, LLP

/s/ Kristin L. Martin

Kristin L. Martin

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EXHIBIT A

From: hildeb01@aol.com [mailto:hildeb01@aol.com]
Sent: Friday, December 07, 2012 8:14 AM
To: matthew.turner@nrb.gov; krista@unitehere.org
Subject: OSI v. UniteHere

Attached please find Respondent's Exception to Judge Rosas' Decision, filed electronically with the NLRB.

--Charles Hildebrandt

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 years, and am not a party to the within action; my business address is 595 Market Street, Ste. 1400, San Francisco, CA 94105.

On November 16, 2012, I served the following document(s) described as

Charging Party UNITE HERE Local 7's Request for Extension of Time

on the interested parties in this action to the following parties:

Charles Hildebrant
The Roberts Law Group
1029 Vermont Ave NW, Ste 300
Washington, DC 20005-6324

Matthew Turner
National Labor Relations Board, Region 5
Bank of America Center, Tower II
100 S. Charles Street, 6th Floor
Baltimore, MD 21201

via the following method:

- (BY U.S. Mail)** I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit. I deposited such envelope(s) with postage thereon fully prepaid to be placed in the United States Mail at San Francisco, California.
- (By E-Mail)** I transmitted a copy of the foregoing document(s) via e-mail to the addressee(s) hildeb01@aol.com, matthew.turner@nrlb.gov
- (STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 17, 2012 at San Francisco, California.

/s/ Dinh Luong
Dinh Luong