

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 22**

1621 ROUTE 22 WEST OPERATING COMPANY, LLC
D/B/A SOMERSET VALLEY REHABILITATION
AND NURSING CENTER

and

Case 22-CA-069152
22-CA-074665

1199 SEIU UNITED HEALTHCARE WORKERS
EAST, NEW JERSEY REGION

**COUNSEL FOR ACTING GENERAL COUNSEL'S OPPOSITION TO
RESPONDENT'S REQUEST FOR EXTENSION OF TIME TO FILE
EXCEPTIONS**

On January 23, 2013, Respondent filed a request for a 30-day extension of time to file its exceptions to the January 15, 2013 Decision of Administrative Law Judge Lauren Esposito. Exceptions are currently due on February 12, 2013. For the following reasons, Counsel for the Acting General Counsel opposes Respondent's request.

On July 26, 2012, Counsel for the Acting General Counsel filed a Petition for Temporary Injunction in the District Court of New Jersey, pursuant to Section 10(j) of the Act, regarding the matters in this case. Under Section 102.94 of the Board's Rules and Regulations, cases proceeding under Section 10(j) are required to be processed expeditiously. An expeditious processing before the Board is especially important in this case, which is not progressing in the district court in the accelerated manner of most 10(j) cases. The parties are engaged in extensive discovery, and the evidentiary hearing currently is not scheduled to begin until April 16, 2013.

Respondent has numerous attorneys working on this matter and the 10(j) litigation from two prominent and large law firms, who are all well-acquainted with the facts and legal arguments in this case. Therefore, other commitments of a single attorney should not affect Respondent's ability to complete its exceptions on time.

Additionally, contrary to Respondent's assertions, the transcript of the administrative hearing is not lengthy. A good portion of the transcript dealt with subpoena issues, and most of the hearing days were not full days of testimony.

For the above reasons, Counsel for the Acting General Counsel urges the Board to deny Respondent's request for a 30-day extension of time and to limit any extension of time to one week.

Dated: January 24, 2013



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of Counsel for Acting General Counsel's Opposition to Respondent's Request for Extension of Time to File Exceptions were served on January 24, 2013, by e-mail:

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