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**Transaction ID 60863826**  
**Case No. OSH 2017-16**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

JAMES H. HALL,

Complainant-Appellant,

and

MOUNT TERRACE AOA,

Respondent-Appellee,

DIRECTOR, DEPARTMENT OF LABOR  
AND INDUSTRIAL RELATIONS,

Appellee.

CASE NO. OSH 2017-16

ORDER NO. 921

ORDER GRANTING  
COMPLAINANT-APPELLANT,  
JAMES H. HALL'S MOTION FOR  
SECOND EXTENSION OF TIME  
TO RESET TIME DEADLINES  
FOR THE COMPLETE SCHEDULE  
OF DEADLINES AND HEARING  
DATES

**ORDER GRANTING COMPLAINANT-APPELLANT, JAMES H. HALL'S MOTION  
FOR SECOND EXTENSION OF TIME TO RESET TIME DEADLINES  
FOR THE COMPLETE SCHEDULE OF DEADLINES AND HEARING DATES**

On June 1, 2017, Complainant-Appellant, JAMES H. HALL (Complainant-Appellant) filed COMPLAINANT-APPELLANT, JAMES H. HALL'S MOTION TO RESET TIME DEADLINES FOR THE COMPLETE SCHEDULE OF DEADLINES AND HEARING DATES.

On July 3, 2017, Complainant-Appellant filed COMPLAINANT-APPELLANT, JAMES H. HALL'S MOTION FOR SECOND EXTENSION OF TIME TO RESET TIME DEADLINES FOR THE COMPLETE SCHEDULE OF DEADLINES AND HEARING DATES. Complainant-Appellant's motion for a second extension requested two extensions:

Complainant-Appellant, James H. Hall ('Hall'), Pro Se, respectfully presents this Motion for Second Extension of Time to Further Reset Time

Deadlines for the Complete Schedule of Deadlines and Hearing Dates and respectfully moves the Hawaii Labor Relations Board ('HLRB') to grant an additional seventy-five (75) day extension to each individual deadline and hearing date inclusively as listed in Section II Schedule of Deadlines and Hearing Dates.

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Therefore, Hall requests that the Hawaii Labor Board grants him a further extension until September 21, 2017, so that he may obtain counsel and exercise his due process rights.

The Board notes that the second request for September 21, 2017 fails to mention what deadline this date would replace and therefore the Board will rely on his first request for a seventy-five (75) day extension to the Section II Schedule of Deadlines and Hearing Dates which was contained in the Receipt of Notice of Contest and General Information filed on May 24, 2017.

Hall further explained that the reason for his request is based on the following:

On June 27, 2017, after recovery from his surgery, Hall met with Attorney Michael Jay Green, who is a well respected attorney here in Honolulu. Based upon his initial review, Attorney Green felt strongly that he would be willing to take Hall's Whistleblower case on a contingency basis, however Attorney Green explained that he had two large trials to prepare for right away and would simply need more time for his own due diligence to fully review the 600 plus pages included in the investigative file. In order to make an informed decision. Attorney Green asked Hall to obtain a seventy five (75) day extension from the Hawaii Labor Board.

On July 6, 2017, Respondent-Appellee MOUNT TERRACE AOA (Respondent Appellee) filed RESPONDENT-APPELLEE MOUNT TERRACE OPPOSITION TO COMPLAINANT-APPELLANT, JAMES H. HALL'S MOTION FOR SECOND EXTENSION OF TIME TO RESET TIME DEADLINES FOR THE COMPLETE SCHEDULE OF DEADLINES AND HEARING DATES arguing, *inter alia*, that Hall has not demonstrated a good faith reason for delaying this action and request is in bad faith and the Board should deny the motion.

The Board notes that Respondent-Appellee's opposition does not raise a claim of nor demonstrate any prejudice in the event the Board grants Complainant-Appellant's motion.

No opposition was filed from Appellee, DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.

ORDER

For the reasons discussed above, the Board orders the following:

1. HEREBY DENIES COMPLAINANT-APPELLANT, JAMES H. HALL'S MOTION TO RESET TIME DEADLINES FOR THE COMPLETE SCHEDULE OF DEADLINES AND HEARING DATES, filed on June 1, 2017, as it is now moot.
2. HEREBY GRANTS COMPLAINANT-APPELLANT, JAMES H. HALL'S MOTION FOR SECOND EXTENSION OF TIME TO RESET TIME DEADLINES FOR THE COMPLETE SCHEDULE OF DEADLINES AND HEARING DATES and in particular his request for a seventy-five (75) day extension to the deadlines and hearing dates contained in Section II of the Receipt of Notice of Contest and General Information filed on May 24, 2017.
3. All hearing dates previously scheduled are canceled and removed from the calendar. The Board will issue a Rescheduled Notice of Deadlines and Hearing Dates based on the Board's availability.
4. All provisions contained in the Receipt of Notice of Contest and General Information filed on May 24, 2017 that are not changed by this Order remain in effect.

DATED: Honolulu, Hawaii July 17, 2017.

HAWAII LABOR RELATIONS BOARD



*Sesnita A. D. Moepono*

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SESNITA A.D. MOEPONO, Member

*J. N. Musto*

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J N. MUSTO, Member

Copies sent to:

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