STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

RICHARD CONDON,

Complainant,

and

DEPARTMENT OF HUMAN SERVICES, State of Hawaii.

Respondent.

In the Matter of

RICHARD CONDON,

Complainant,

and

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,

Respondent.

CASE NO. CE-10-670

ORDER NO. 2526

ORDER GRANTING RESPONDENT DEPARTMENT OF HUMAN SERVICES' MOTION TO DISMISS COMPLAINT WITH PREJUDICE

CASE NO. CU-10-264

ORDER GRANTING RESPONDENT DEPARTMENT OF HUMAN SERVICES' MOTION TO DISMISS COMPLAINT WITH PREJUDICE

On July 11, 2008, the Hawaii Labor Relations Board (Board) issued an Order Granting UPW's Motion to Dismiss Complaint with Prejudice in this matter. On July 14, 2008, Respondent DEPARTMENT OF HUMAN SERVICES, State of Hawaii (DHS), by and through its counsel, filed a Motion to Dismiss Complaint with the Board based upon the dismissal of the related case against the UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO, Case No. CU-10-264. DHS' counsel states in a Declaration attached to the motion that Complainant in these cases verbally withdrew his complaints but failed to file a motion to withdraw. Accordingly, the DHS argues that Case No. CE-10-670 should be dismissed with prejudice for lack of prosecution.

Based on a review of the record and the dismissal of Case No. CU-10-264, the Board finds good cause to dismiss the instant complaint, and hereby grants DHS' motion to dismiss the instant complaint with prejudice.

RICHARD CONDON v. DEPARTMENT OF HUMAN SERVICES
CASE NO. CE-10-670
RICHARD CONDON v. UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO
CASE NO. CU-10-264
ORDER NO. 2526
ORDER GRANTING RESPONDENT DEPARTMENT OF HUMAN SERVICES' MOTION TO
DISMISS COMPLAINT WITH PREJUDICE

DATED: Honolulu, Hawaii, July 24, 2008

HAWAII LABOR RELATIONS BOARD

AMES B. XICHOLSON, Chair

EMORY J SPRINGER, Member

Mun f. Gunlaff. SARAH R. HIRAKAMI, Member

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