

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.:	CE-02-189a
	)		CE-03-189b
HAWAII GOVERNMENT EMPLOYEES	)		CE-04-189c
ASSOCIATION, AFSCME, LOCAL 152,	)		CE-09-189d
AFL-CIO,	)		CE-13-189e
)		
Complainant,	)	ORDER NO.	1424
)		
and	)	ORDER DISMISSING PRO-	
	)	HIBITED PRACTICE COM-	
JOHN D. WAIHEE, III, Governor,	)	PLAINT WITHOUT PREJUDICE	
State of Hawaii; JOHN C. LEWIN,)		
M.D., Director, Department of)		
Health, State of Hawaii, and)		
NEAL MAZER, M.D., Chief, Child)		
Adolescent Mental Health)		
Division, State of Hawaii,)		
)		
Respondents.)		

ORDER DISMISSING PROHIBITED PRACTICE COMPLAINT WITHOUT PREJUDICE

On February 26, 1997, the Hawaii Labor Relations Board (Board) issued a Notice of Proposed Dismissal in this case stating that the Board intended to dismiss the complaint for want of prosecution unless objections were filed with the Board within ten days.

On March 10, 1997, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA), by and through its attorney, filed its objection, in part, and agreement, in part, to the Board's notice of proposed dismissal. The HGEA submits that the underlying complaint has been resolved but that the parties have been unable to finalize a written settlement agreement due to the departure of the named Respondents and their attorney from State service. The HGEA does not object to a

dismissal of the instant complaint because of mootness but requests that the dismissal be without prejudice in order not to preclude future claims raised in a different context.

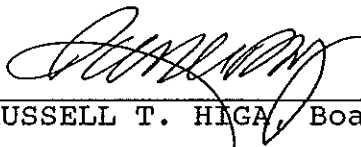
Based upon the foregoing, the Board hereby dismisses the instant complaint without prejudice.

DATED: Honolulu, Hawaii, March 12, 1997.


HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member



CHESTER C. KUNITAKE, Board Member

Copies sent to:

Charles K.Y. Khim, Esq.
Ruth Tsujimura, Deputy Attorney General
Joyce Najita, IRC