

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. CU-10-245
MARK J. STRUBA,	)	ORDER NO. 2368
Complainant,	)	ORDER GRANTING COMPLAINANT'S
and	)	REQUEST FOR CONTINUANCE; AND
UNITED PUBLIC WORKERS, AFSCME,	)	NOTICE OF RESCHEDULED HEARING
LOCAL 646, AFL-CIO,	)	ON UPW'S MOTION TO DISMISS AND/OR
Respondent.	)	FOR SUMMARY JUDGMENT, FILED ON
	)	FEBRUARY 23, 2006

ORDER GRANTING COMPLAINANT'S REQUEST FOR CONTINUANCE;  
AND NOTICE OF RESCHEDULED HEARING ON UPW'S MOTION TO  
DISMISS AND/OR FOR SUMMARY JUDGMENT, FILED ON FEBRUARY 23, 2006

By letter dated March 10, 2006, Complainant requested the Hawaii Labor Relations Board (Board) to grant two-month continuance of the case to obtain legal representation. On March 16, 2006, Respondent filed an Opposition to Complainant Struba's Motion for a Two Month Continuance of the March 24, 2006 Hearing with the Board. Respondent contends that Complainant failed to timely respond to its February 23, 2006 motion to dismiss as required by the Board's Administrative Rules §12-42-8(g)(3)(C)(iii). Respondent also contends that in accordance with applicable rules, the Board is obligated to conduct a hearing on a prohibited practice complaint within 40 days after filing and a two-month continuance is simply too long.

After considering the record and the arguments presented, the Board finds good cause to continue the hearing to permit Complainant to obtain legal counsel and prepare his position. The Board therefore hereby grants Complainant's request for a two-month continuance of the hearing on Respondent's Motion to Dismiss and/or for Summary Judgment filed on February 23, 2006.

NOTICE IS HEREBY GIVEN that the hearing on Complainant's Motion to Dismiss and/or for Summary Judgment filed on February 23, 2006 previously scheduled on March 24, 2006 at 9:30 a.m. is rescheduled on May 24, 2006 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii. Complainant shall file any written arguments opposing Respondent's motion with the Board, including a certificate of service on opposing counsel, by the close of business on May 17, 2006.

MARK J. STRUBA v. UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO  
CASE NO. CU-10-245  
ORDER NO. 2368

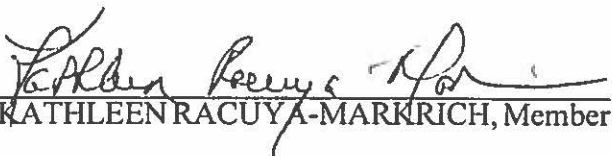
ORDER GRANTING COMPLAINANT'S REQUEST FOR CONTINUANCE; AND NOTICE OF  
RESCHEDULED HEARING ON UPW'S MOTION TO DISMISS AND/OR FOR SUMMARY  
JUDGMENT, FILED ON FEBRUARY 23, 2006

DATED: Honolulu, Hawaii, March 20, 2006

HAWAII LABOR RELATIONS BOARD

  
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BRIAN K. NAKAMURA, Chair

  
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EMORY J. SPRINGER, Member

  
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KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:

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