

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII STATE TEACHERS  
ASSOCIATION,

Complainant,

and

PATRICIA HAMAMOTO, Superintendent,  
Department of Education, State of Hawaii;  
BOARD OF EDUCATION, Department of  
Education, State of Hawaii; LINDA  
LINGLE, Governor, State of Hawaii; and  
MARIE LADERTA, Director, Department of  
Human Resources Development, State of  
Hawaii,

Respondents.

CASE NO. CE-05-661

ORDER NO. 2520

ORDER GRANTING RESPONDENTS'  
MOTION TO ENLARGE DEADLINE  
ON RESPONDENTS' REPLY  
MEMORANDUM, FILED ON JULY 8,  
2008

ORDER GRANTING RESPONDENTS'  
MOTION TO ENLARGE DEADLINE ON  
RESPONDENTS' REPLY MEMORANDUM FILED ON JULY 8, 2008

On July 8, 2008, the above-named Respondents, by and through their counsel, filed a Motion to Enlarge Deadline on Respondents' Reply Memorandum with the Hawaii Labor Relations Board (Board). Respondents requested an order to extend the deadline to file a reply to Complainant's Memorandum in Opposition to Respondents' Motion to Dismiss, or in the Alternative, for Judgment on the Pleadings from July 11, 2008 to July 18, 2008, in part, because more time was needed to reply to the voluminous memorandum filed by Complainant on July 3, 2008.

On July 9, 2008, Complainant HAWAII STATE TEACHERS ASSOCIATION (HSTA) filed a memorandum in opposition to Respondents' motion with the Board. The HSTA argued, inter alia, that the Board's rules do not provide for a reply brief and Respondents did not reserve the right to file a reply brief in response to the points raised by the HSTA in its opposition memorandum.

Also on July 9, 2008, Respondents' counsel filed a Declaration to reply to HSTA's opposition to Respondents' motion stating that the Board allowed Respondents to submit their reply to HSTA's memorandum, a reply is necessary to address the

arguments raised by the HSTA and that the HSTA has not shown it would be prejudiced by the enlargement of the deadline as the extension requested is not unreasonable.

Based on a review of the record, the Board notes that in Order No. 2508, dated May 8, 2008, Complainant was granted an extension to respond to Respondents' Motion to Dismiss, or in the Alternative, for Judgment on the Pleadings. In addition, the Board set July 11, 2008 as the deadline for Respondents' reply and scheduled the hearing on the motion on July 17, 2008. On June 18, 2008, the Board rescheduled the hearing on the motion to July 24, 2008. Thus, given the new hearing date, the Board finds no prejudice to Complainant to grant a one-week extension requested by Respondents to reply to the HSTA's opposition by July 18, 2008. For good cause shown, the Board hereby grants the instant motion.

DATED: Honolulu, Hawaii, July 10, 2008.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member



SARAH R. HIRAKAMI, Member

Copies sent to:

Maria C. Cook, Deputy Attorney General  
Herbert R. Takahashi, Esq.