



Order No. 2754 further stated:

The original plus five copies of the Particularization, with certificate of service on all parties, must be filed with the Board within five days after service of this Order. If Complainant fails to timely file and serve the Particularization, the Board shall dismiss the Complaint. [Emphasis added.]

Hawaii Administrative Rules § 12-42-45(b) also provides:

If the charge is believed by a respondent to be so vague and indefinite that the respondent cannot reasonably be required to frame an answer thereto, such respondent may, within five days after service of the complaint, file with the board a motion for particularization of the complaint, requesting that the complainant file a statement supplying specific information. If the board grants such motion, the complainant shall file with the board the original and five copies of the requested particularization, with certificate of service on all parties, within five days after service of the board's granting order, unless the board directs otherwise. If the complainant fails to timely file and serve the particularization, the board shall dismiss the complaint. Within five days after the service of the complainant's particularization, the respondent shall file with the board the original and five copies of the answer, with certificate of service on all parties, unless the board directs otherwise. [Emphasis added.]

In this case, Complainant did not file a Particularization of his Complaint with the Board within five days after service of the Order No. 2754. Accordingly, pursuant to Order No. 2754, and Hawaii Administrative Rules § 12-42-45(b), the Board hereby dismisses the instant Complaint.

DATED: Honolulu, Hawaii, January 24, 2011.

HAWAII LABOR RELATIONS BOARD

  
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JAMES B. NICHOLSON, Chair

HECTOR E. MALDONADO v. MICHAEL HOFFMAN  
CASE NO. CE-03-774  
ORDER NO. 2762  
ORDER DISMISSING COMPLAINT

  
SARAH R. HIRAKAMI, Member

  
NORMAN K. KATO II, Member

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