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Transaction ID 57628358
Case No. CE-02-835

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO,

Complainant,

and

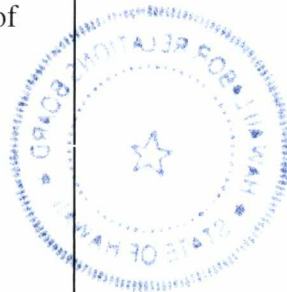
LYNN FALLIN, Deputy Director Behavioral
Health Administration, Department of Health,
State of Hawaii; MARK FRIDOVICH, Chief,
Adult Mental Health Division, Department of
Health, State of Hawaii; WILLIAM ELLIOT,
Acting Hospital Administrator, Hawaii State
Hospital, Department of Health, State of Hawaii;
WILLIAM SHEEHAN, Medical Director,
Hawaii State Hospital, Department of Health,
State of Hawaii; and NEIL ABERCROMBIE,
Governor, State of Hawaii, Governor, State of
Hawaii,

Respondents.

CASE NOS. CE-02-835a
CE-03-835b
CE-04-835c
CE-09-835d
CE-13-835e

ORDER NO. 3079

ORDER GRANTING COMPLAINANT'S
MOTION TO WITHDRAW COMPLAINT
FILED ON DECEMBER 20, 2013



**ORDER GRANTING COMPLAINANT'S MOTION TO
WITHDRAW COMPLAINT FILED ON DECEMBER 20, 2013**

On December 20, 2013, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (herein "Complainant") filed with the Board a Prohibited Practice Complaint (herein "Complaint") against Respondents LYNN FALLIN, MARK FRIDOVICH, WILLIAM ELLIOT, WILLIAM SHEEHAN and NEIL ABERCROMBIE (herein collectively "Respondents"). On March 27, 2015, Complainant filed Complainant's Motion to Withdraw Complaint Filed on December 20, 2013 (herein "Motion to Withdraw"). No objection or opposition to the Motion to Withdraw has been filed by Respondents.

Any complaint before the Board may be withdrawn pursuant to Section 12-42-44 of the Board's Rules, which states in part:

Section 12-42-44 Withdrawal. Any complaint may be withdrawn at any time prior to the issuance of a final order thereon, upon motion and with the consent of the board. Whenever the board approves withdrawal of such complaint, the case shall be closed.

In order to withdraw a prohibited practice complaint under Section 12-42-44 of the Board's Rules, the Complainant must meet three requirements: (1) Complainant must file a motion to withdraw, (2) which must be filed prior to the issuance of a final order, and (3) obtain the consent of the Board. In this case, Complainant has met the first two of the three requirements of Section 12-42-44, and the sole issue before this Board is whether to consent to or reject Complainant's request to withdraw the prohibited practice complaint.

Based on a review of the record and consideration of the instant motion, the Board grants the withdrawal of the Complaint with prejudice. This case is closed.

DATED: Honolulu, Hawaii, July 29, 2015.

HAWAII LABOR RELATIONS BOARD




KERRY M. KOMATSUBARA, Chair


SESNITA A.D. MOEPONO, Member


ROCK B. LEY, Member

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