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Transaction ID 59164666  
Case No. 16-CE-07-880**

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STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	Case No. 16-CE-07-880
	)	
UNIVERSITY OF HAWAII	)	Order No.: 3169
PROFESSIONAL ASSEMBLY,	)	
	)	STIPULATION AND ORDER TO
Complainant,	)	WITHDRAW PROHIBITED PRACTICE
	)	COMPLAINT
and	)	
	)	
BOARD OF REGENTS, University	)	
Of Hawaii,	)	
	)	
Respondent.	)	
_____	)	

**STIPULATION AND ORDER TO WITHDRAW PROHIBITED PRACTICE COMPLAINT**

Complainant UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY, by and through its counsel, Gill, Zukeran & Sgan, Attorneys-at-Law, and Respondent BOARD OF REGENTS, UNIVERSITY OF HAWAII, by and through the University of Hawaii Office of General Counsel, hereby submits their Stipulation to Withdraw Prohibited Practice Complaint before the Hawaii Labor Relations Board in Case No. 16-CE-07-

880. This Stipulation is made pursuant to the Hawaii Administrative Procedure Rule § 12-42-44.

The Complainant and Respondent hereby stipulate as follows:

1. The Respondent will waive its timeliness defense with respect to the claims in the Class Grievance filed on April 21, 2016 (Class Grievance), concerning Wojciech Lorenc's (Faculty #1) non-renewal of contract and hear the matter in the grievance/arbitration process along with the Josiah Lebowitz (Faculty #2) claim.

2. The portions of the Class Grievance concerning the Academy for Creative Media (ACM issues) will be bifurcated from Faculty #1's non-renewal claims and held in abeyance while the parties work cooperatively to address the ACM issues informally. However, any timeliness defense the Employer may have with respect to the ACM issues is preserved should the ACM issues end up being processed through the grievance/arbitration procedures.

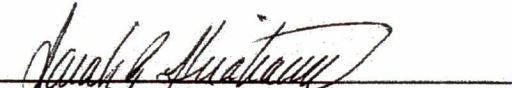
3. The Complainant and Respondent agree to withdraw the Prohibited Practice Complaint 16-CE-07-880 filed on April 18, 2016. All matters raised in the Complaint are withdrawn before the Board and will be addressed as agreed to above.

4. The Complainant and Respondent will each bear its own attorneys fees and costs.

DATED: Honolulu, Hawaii, June 17, 2016.

**AGREED AND SO STIPULATED:**

  
WADE C. ZUKERAN  
Gill, Zukeran & Sgan  
Attorneys for Complainant

  
SARAH HIRAKAMI  
Associate General Counsel  
Attorney for Respondent

**APPROVED AND SO ORDERED:**

ORDER NO. 3169

  
KERRY M. KOMATSUBARA, Chair



  
SESNITA A.D. MOEPONO, Member

EXCUSED  
\_\_\_\_\_  
ROCK B. LEY, Member

DATED: Honolulu, Hawaii, June 17, 2016

**In the Matter of UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY,  
Complainant, and BOARD OF REGENTS, University of Hawaii, Respondent,  
Case No. 16-CE-07-880  
Stipulation and Order to Withdraw Prohibited Practice Complaint**