



STATE OF HAWAII

EFiled: Jun 29 2016 11:47AM HAST
Transaction ID 59212377
Case No. CE-05-667

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII STATE TEACHERS
ASSOCIATION,

Complainant,

and

BOARD OF EDUCATION, Department of
Education, State of Hawaii; PATRICIA
HAMAMOTO, Superintendent, Department
of Education, State of Hawaii; and SUSAN
H. KITSU, Department of Education, State of
Hawaii,

Respondents.

CASE NO. CE-05-667

ORDER NO. 3174

ORDER GRANTING COMPLAINANT
HAWAII STATE TEACHERS
ASSOCIATION'S MOTION TO
WITHDRAW HSTA'S EMERGENCY
MOTION TO EXTEND DEADLINE
TO FILE EXCEPTIONS TO
PROPOSED FINDINGS OF FACTS
AND CONCLUSIONS OF LAW, AND
DECISION AND ORDER, FILED
JUNE 15, 2016 (FILED 06-20-2016)

ORDER GRANTING COMPLAINANT HAWAII STATE
TEACHERS ASSOCIATION'S MOTION TO WITHDRAW HSTA'S
EMERGENCY MOTION TO EXTEND DEADLINE TO FILE EXCEPTIONS
TO PROPOSED FINDINGS OF FACTS AND CONCLUSIONS OF LAW,
AND DECISION AND ORDER, FILED JUNE 15, 2016 (FILED 06-20-2016)

On June 20, 2016, Complainant HAWAII STATE TEACHERS ASSOCIATION (Complainant or HSTA) filed a Motion to Withdraw HSTA's Emergency Motion to Extent Deadline to File Exceptions to Proposed Findings of Facts and Conclusions of Law, and Decision and Order, Filed June 15, 2016 (Motion to Withdraw). No opposition or other response was filed by Respondents BOARD OF EDUCATION, DEPARTMENT OF EDUCATION, PATRICIA HAMAMOTO, and SUSAN KITSU (collectively Respondents).

Based on the Declaration of Rebecca L. Covert (Covert Declaration) attached to the Motion to Withdraw, apparently:

1. HSTA received a copy of the Proposed Findings of Fact and Conclusions of Law, Decision and Order filed on June 6, 2016 (Proposed Decision) on June 8, 2016, and any exceptions to the Proposed Decision was due ten days after service. Covert Declaration at ¶ 2.

2. On June 15, 2016, "HSTA filed an Emergency Motion to Extend Deadline to file Exceptions to Proposed Findings of Facts and Conclusions of Law, Decision and Order" (Emergency Motion) seeking "a one-week extension in which to file the exceptions." Covert Declaration at ¶ 3. HSTA was then informed by Hawaii Labor Relations Board's (Board) staff that "the Employer intended to object to the motion. [HSTA] then had to finish the exceptions by June 16, 2016. Covert Declaration at ¶ 4.

3. HSTA then filed its Statement of Exceptions to Proposed Findings of Fact, Conclusions of Law, and Decision and Order Filed on June 6, 2016 (HSTA Exceptions). Subsequently, HSTA filed the Motion to Withdraw because "its emergency motion to extend deadline to file is moot and, therefore, HSTA seeks to withdraw its" Emergency Motion.

Based on the foregoing, the Board agrees that the Emergency Motion is moot, and therefore:

IT IS HEREBY ORDER THAT the Motion to Withdraw is granted and the Emergency Motion is deemed to be withdrawn.

HSTA v. BOE, et al.

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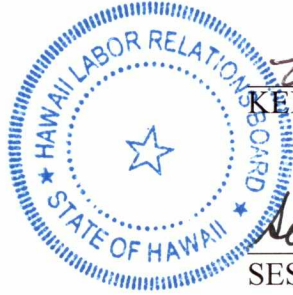
ORDER GRANTING COMPLAINANT HAWAII STATE TEACHERS

ASSOCIATION'S MOTION TO WITHDRAW HSTA'S EMERGENCY MOTION
TO EXTEND DEADLINE TO FILE EXCEPTIONS TO PROPOSED FINDINGS OF
FACTS AND CONCLUSIONS OF LAW, AND DECISION AND ORDER, FILED
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DATED: Honolulu, Hawaii, June 29, 2016.

HAWAII LABOR RELATIONS BOARD




KERRY M. KOMATSUBARA, Chair


SESNITA A.D. MOEPONO, Member


ROCK B. LEY, Member

Copies sent to:

Rebecca L. Covert, Esq.

Jeffrey A. Keating, Deputy Attorney General

