



**EFiled: Aug 30 2017 10:30AM HAST**  
**Transaction ID 61051663**  
**Case No. 17-CU-03-352**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

VALERIE ASATO,

Complainant,

and

HAWAII GOVERNMENT EMPLOYEES  
ASSOCIATION, AFSCME-LOCAL 152,  
AFL-CIO and KEVIN NAKATA,

Respondents.

CASE NO. 17-CU-03-352

ORDER NO. 3291

ORDER GRANTING RESPONDENTS'  
MOTION TO EXTEND THE DEADLINE  
FOR FILING THEIR ANSWER TO THE  
FIRST AMENDED COMPLAINT

ORDER GRANTING RESPONDENTS' MOTION TO EXTEND THE  
DEADLINE FOR FILING THEIR ANSWER TO THE FIRST AMENDED COMPLAINT

On August 28, 2017, the HAWAII LABOR RELATIONS BOARD (Board) granted Respondents HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO and KEVIN NAKATA's (collectively Respondents) Motion for Particularization of Amended Complaint, in Order No. 3287. Order No. 3287 directed that (1) Complainant VALERIE ASATO (Complainant) shall have until 4:30 p.m., Tuesday, September 12, 2017, to file the particularization of First Amended Complaint with the Board and to serve it upon Respondents; (2) Respondents shall have until 12:00 p.m., Monday, September 18, 2017, to submit an answer to the First Amended Complaint; and (3) that the Board would hold a Status Conference on Tuesday, September 19, 2017, at 9:00 a.m.

On August 28, 2017, Respondents filed a Motion to Extend the Deadline for Filing their Answer to the First Amended Complaint (Motion), asserting that counsel for Respondents has a scheduling conflict in that she is scheduled to begin a five-day arbitration hearing for three separate grievances, beginning on Monday, September 11, 2017, and ending on Friday, September 15, 2017; that the arbitration dates were set on May 17, 2017; and that counsel would not have sufficient time to review the Complainant's particularization and take steps that are necessary to adequately respond to the First Amended Complaint by the deadline of 12:00 p.m., Monday, September 18, 2017. Respondents request that the deadline to submit an answer to the First Amended Complaint be extended to September 26, 2017, and that the Status Conference be continued to another date and time after September 26, 2017.

The Board finds good cause to grant Respondent's Motion, and hereby continues the deadline to file an answer to the First Amended Complaint, and continues the date of the Status Conference. However, pursuant to Hawaii Administrative Rules (HAR) § 12-42-45, a respondent must file an answer to a complaint within five (business) days after service of the complainant's particularization. Accordingly, in granting Respondents' motion to continue the deadline to file an answer, the Board will also extend the deadline for Complainant to file her particularization. Therefore, the Board sets the following, new, deadlines:

New Deadline for Complainant to File Particularization:

**4:30 p.m., September 19, 2017.**

New Deadline for Respondents to Answer First Amended Complaint:

**4:30 p.m., September 26, 2017.**

New Status Conference Date:

**To be determined.**

Counsel for Respondents shall contact Complainant and select a mutually-agreed upon date and time for the Continued Status Conference. The Board's availability for the month of October is as indicated below. Counsel shall then notify the Board of the date and time mutually agreed upon, and the Board will thereafter confirm the date and time in a Board notice specifying the date and time.

Board Availability:

Friday, October 20, 2017: 9:00 am.

Tuesday or Wednesday, October 24 or 25, 2017: 9:00 a.m. .

DATED: Honolulu, Hawaii, August 30, 2017.

HAWAII LABOR RELATIONS BOARD



*Sesnita A. D. Moepono*

SESNITA A.D. MOEPONO, Member

*J.N. Musto*

J.N. MUSTO, Member

Copies to:  
Valerie Asato  
Debra A. Kagawa, Esq.