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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. 3294

ORDER GRANTING RESPONDENT HGEA'S MOTION TO PLACE UNDER SEAL DOCUMENTS PRODUCED ON AUGUST 31, 2017 IN RESPONSE TO HAWAII LABOR RELATIONS BOARD'S SUBPOENA DUCES TECUM ISSUED ON JULY 25, 2017; ORDER GRANTING COMPLAINANT VALERIE ASATO'S MOTION FOR EXTENSION OF TIME TO FILE PARTICULARIZATION REGARDING FIRST AMENDED COMPLAINT; NOTICE OF DEADLINES AND STATUS CONFERENCE

ORDER GRANTING RESPONDENT HGEA'S MOTION TO PLACE UNDER SEAL DOCUMENTS PRODUCED ON AUGUST 31, 2017 IN RESPONSE TO HAWAII LABOR RELATIONS BOARD'S SUBPOENA DUCES TECUM ISSUED ON JULY 25, 2017

On September 20, 2017, the HAWAII LABOR RELATIONS BOARD (Board) held a hearing on Respondents HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO and KEVIN NAKATA's (collectively Respondents) MOTION TO PLACE UNDER SEAL DOCUMENTS PRODUCED ON AUGUST 31, 2017 IN RESPONSE TO HAWAII LABOR RELATIONS BOARD'S SUBPOENA DUES TECUM ISSUED ON JULY 25, 2017. No objection to the motion had been filed with the Board, and during oral arguments VALERIE ASATO (Complainant), through her counsel, did not object to the motion.

The Board found good cause to grant the Respondents' motion. The Board hereby orders that the documents received on August 31, 2017 from the issuance of the subpoena duces tecum issued on July 25, 2017, shall be placed under seal in a similar manner to that described in Hawaii Court Records Rule 10.4.

ORDER GRANTING COMPLAINANT VALERIE ASATO'S MOTION FOR EXTENSION OF TIME TO FILE PARTICULARIZATION REGARDING FIRST AMENDED COMPLAINT; NOTICE OF DEADLINES AND STATUS CONFERENCE

On September 14, 2017, counsel for Valerie Asato, (Complainant) filed with the Board COMPLAINANT VALERIE ASATO'S MOTION FOR EXTENSION OF TIME TO FILE

PARTICULARIZATION REGARDING FIRST AMENDED COMPLAINT. The Respondents had until the close of business on September 20, 2017 to reply to the motion. However, the Board allowed oral arguments during the September 20, 2017 motion hearing. In support of the motion, counsel for the Complainant indicated that he needed more time to prepare complainant's answer to the Board's Order No. 3287 with granted the Respondents' Motion for Particularization of Amended Complaint, dated August 21, 2107. The Respondents, through their counsel, stated that they had no objection to the Complainant's motion seeking a thirty-day extension to file the particularization of the first amended complaint.

The Board finds good cause to grant Complainant's Motion, and hereby continues the deadline to file Particularization Regarding First Amended Complaint, and sets 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 Complainant's motion to continue the deadline to file particularization of the first amended complaint, the Board will also extend the deadline for Respondents' to Answer First Amended Complaint. Therefore, the Board sets the following, new, deadlines:

Deadline for Complainant to File Particularization:

4:30 p.m., October 20, 2017.

Deadline for Respondents to Answer First Amended Complaint:

4:30 p.m., October 31, 2017.

Status Conference Date:

9:00 a.m., November 7, 2017

DATED: Honolulu, Hawaii, Sept. 22, 2017.

HAWAII LABOR RELATIONS BOARD



Sesnita A.D. Moepono

SESNITA A.D. MOEPONO, Member

J.N. Musto

J.N. MUSTO, Member

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