

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CU-10-55
)	
FARRETT D. VAN WINKLE,)	ORDER NO. 707
)	
Complainant,)	ORDER GRANTING RESPONDENT'S
)	MOTION TO DISMISS
and)	
)	
UNITED PUBLIC WORKERS, AFSCME,)	
LOCAL 646, AFL-CIO,)	
)	
Respondent.)	
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ORDER GRANTING RESPONDENT'S MOTION TO DISMISS

On July 21, 1988, Respondent UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO [hereinafter referred to as UPW], by and through its counsel moved to dismiss the subject prohibited practice complaint on the basis that the dispute between the parties is moot. UPW argues that the parties in a related proceeding, Case No. R-10-19, reached a settlement of all legal actions arising in the context of a representation proceeding filed by the Hawaii Teamsters and Allied Workers, Local 996, International Brotherhood of Teamsters. The affidavit of counsel attached to Respondent's motion indicates that the UPW agreed in the previous proceeding not to pursue charges against Complainant VAN WINKLE and eight other members as part of the settlement. In exchange, it was agreed that the Teamsters and VAN WINKLE would end all legal actions against the UPW.


On August 29, 1988, the Board issued a Notice of Hearing on Respondent's Motion to Dismiss and scheduled such

hearing for Wednesday, September 21, 1988 at 9:00 a.m. The notice further provided that any written arguments in opposition to Respondent's motion should be filed with the Board by 4:30 p.m. on September 16, 1988.


Having received no opposition to Respondent's motion, the Board hereby grants the subject motion to dismiss. This case is closed.

DATED: Honolulu, Hawaii, September 23, 1988.

HAWAII LABOR RELATIONS BOARD


MACK H. HAMADA, Chairperson


JAMES R. CARRAS, Board Member


GERALD K. MACHIDA, Board Member

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