

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CE-10-191
)	
THOMAS LEPERE,)	ORDER NO. 946
)	
Complainant,)	ORDER GRANTING, IN PART, RES-
)	PONDENT'S MOTION FOR PARTIC-
and)	ULARIZATION
)	
GEORGE SUMNER, Director,)	
Department of Public Safety,)	
)	
Respondent.)	
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ORDER GRANTING, IN PART,
RESPONDENT'S MOTION FOR PARTICULARIZATION

On June 23, 1993, Respondent GEORGE SUMNER, Director of the Department of Public Safety, by and through his attorney, filed a Motion for Particularization with the Hawaii Labor Relations Board (Board). Respondent alleges that the instant complaint is so vague that he is unable to determine the facts to support Complainant THOMAS LEPERE's charges.

After reviewing the complaint, the Board agrees with Respondent that some of the allegations in the Complaint are vague and should be particularized as follows. Complainant shall specify:

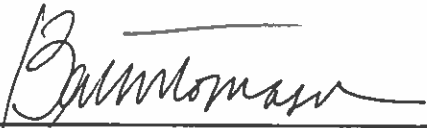
1. As to the allegation set forth in the first sentence of the second paragraph of part 5 of the complaint, specify how Respondent refused to comply "with Section 16.05 on the 16.01e definition" as contained in the contract.
2. Identify the individuals who were allegedly involuntarily transferred as a result of the Respondent's noncompliance with the contract.

The Board hereby directs the Complainant to file with this Board the original and five (5) copies of the requested particularization, with proof of service upon Respondent's counsel, no later than 4:30 p.m. of the fifth working day after service of this order. If Complainant fails to file and serve the Particularization in a timely manner, the Board may dismiss the subject Prohibited Practice Complaint.

Respondent is directed to file with the Board the original and five (5) copies of the Answer, with proof of service upon Complainant, no later than 4:30 p.m. of the fifth working day after service of Complainant's Particularization. Failure by Respondent to file an answer in a timely manner may constitute an admission of the material facts alleged in the complaint and a waiver of a hearing.

DATED: Honolulu, Hawaii, June 25, 1993.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member

Copies sent to:

Lester M.H. Goo, Deputy Attorney General
Thomas Lepere
Joyce Najita, IRC