UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

In the Matter of:	**Case Numbers:**
MILUM TEXTILE SERVICES COMPANY,	**28-CA-20898**
	28-CA-20896
Respondent,	**28-CA-20973**
	28-CA-21050
And	**28-CA-21203**
UNITE HERE!	
Charging Party.	

COUNSEL FOR RESPONDENT'S REQUEST FOR LEAVE TO FILE BRIEF IN EXCESS OF PAGE LIMITATION AND/OR MOTION FOR ACCEPTANCE OF BRIEF IN EXCESS OF PAGE LIMITATION

Counsel for Respondent hereby requests leave to file its Response to the Exceptions to the Administrative Law Judge's Decision Filed by the General Counsel and the Union in this matter, and/or moves the Board to accept Respondent's Brief as filed.

Counsel for Respondent contacted the Executive Secretary, Mr. Heltzer, in December 2007 to ascertain whether Respondent could file a combined brief totaling 100 pages since (1) both the General Counsel and the Union had filed Exceptions to the Administrative Law Judge's decision, and (2) the Union incorporated the majority of the arguments of the General Counsel and therefore separating the two briefs would create duplicative restatements of the facts and arguments. Counsel was informed by the Executive Secretary that a combined brief no longer than 100 pages was acceptable as long as counsel made specific references to the arguments that were made by the General Counsel and by the Union. Counsel for Respondent relied on these statements and filed a

98 page combined brief with specific references to the arguments made by the General Counsel and the Union. Counsel apparently misunderstood the information provided, and is now advised that although a combined brief is frowned upon but permitted, it must specifically delineate the arguments correlating to each exceptions brief and that correlation must be evident in the table of contents that 50 pages relate to the General Counsel's brief and 50 pages relate to the Union's brief.[1] If counsel for Respondent had not believed that a combined brief was acceptable as prepared and filed, counsel for Respondent could have and would have filed a request for leave to file a brief in excess of the page limitation and to file a combined brief. Counsel for Respondent is neither so naïve nor disrespectful to cavalierly disregard the page limitations set forth in Section 102.46(j). Further, it is reasonable to believe that such leave would have been granted if the request had been filed.[2] Thus, request is hereby made for leave to file a brief in excess of the page limitations set forth in Section 102.46(j) and/or for acceptance of Respondent's brief as filed. In the alternative, counsel for Respondent requests leave to file its separate brief in Response to the General Counsel's Exceptions Brief in excess of 50 pages.

Respectfully submitted this 11th day of January 2008.

s/ Laurie A. Laws
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[1] A Motion to Strike the Union's brief could be filed as it incorporates the General Counsel's brief by reference and is therefore in excess of 50 pages. Counsel for Respondent declines to do so. Although the General Counsel filed a Motion to Strike Respondent's brief he did not take exception to the Union's brief.
[2] The General Counsel's Motion for Leave to File a brief in excess of the page limitations with respect to the Exceptions Brief was granted by the Board.

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of January 2008 a copy of the foregoing **COUNSEL FOR RESPONDENT'S REQUEST FOR LEAVE TO FILE BRIEF IN EXCESS OF PAGE LIMITATION** was e-filed with the NLRB and served as follows:

Lester A. Heltzer, Executive Secretary
Office of the Executive Secretary
National Labor Relations Board
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Washington, D.C. 20570-0001

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