

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

NFI INTERACTIVE LOGISTICS, LLC

and

Case 25-CA-31011

MICHAEL H. BURT, An Individual

**MOTION FOR EXTENSION OF TIME IN  
WHICH TO FILE EXCEPTIONS AND BRIEF**

COMES NOW the charging party, Michael H. Burt, and for his motion for extension of time in which to file exceptions and brief states:

1. On September 10, 2010, The Honorable John T. Clark, Administrative Law Judge, entered his Decision in this cause.
2. On September 10, 2010, Executive Secretary, Lester A. Heltzer, issued an Order Transferring Proceedings To The National Labor Relations Board wherein the Executive Secretary's order stated that exceptions to the Decision of the Administrative Law Judge must be received by October 8, 2010.
3. The charging party, Michael H. Burt, received the Judge's Decision on September 16, 2010 and contacted his attorney at the National Labor Relations Board, Rebekah Ramirez, on that same day and requested that she appeal this matter by filing exceptions and a brief.
4. On September 28, 2010, attorney Rebekah Ramirez informed the charging party, Michael H. Burt, that the National Labor Relations Board had decided to decline representing Mr. Burt with an appeal of this matter.

5. Since September 28, 2010, the charging party, Michael H. Burt, has contacted several private attorneys to represent him in filing exceptions and a brief appealing this matter. The earliest appointment that the charging party, Michael H. Burt, could schedule with any of the private attorneys was October 8, 2010.

6. The charging party, Michael H. Burt, anticipates that he will require a 30-day extension of time to and including November 7, 2010 in which to obtain private counsel, discuss the issues and draft exceptions and a supporting brief.

7. This motion is not made for delay and Michael H. Burt did not reasonably foresee in advance the present circumstances that he would not be able to obtain private counsel to file exceptions or a motion for extension of time within three (3) days of the due date, October 8, 2010. The respondent will not be prejudiced by a 30-day extension of time.

WHEREFORE, the charging party, Michael H. Burt, moves the Court for an order extending the time in which he is to file exceptions and a supporting brief to and including November 7, 2010, and for all other just and proper relief in the premises.

Respectfully submitted,

  
\_\_\_\_\_  
Michael H. Burt

**AFFIDAVIT OF SERVICE**

STATE OF INDIANA     )  
  ) SS:  
COUNTY OF VIGO     )

I, Michael H. Burt, being first duly sworn, deposes and says:

I hereby certify that the foregoing has been served upon the following counsel by email this 7th day of October, 2010.

James R. Redeker  
[JRedeker@DuaneMorris.com](mailto:JRedeker@DuaneMorris.com)  
Attorney for NFI Interactive Logistics, LLC

Rob Barron – NFI  
[Rob.Barron@NFIIindustries.com](mailto:Rob.Barron@NFIIindustries.com)  
Attorney for NFI Interactive Logistics, LLC

Rebekah Ramirez  
[Rebekah.Ramirez@NLRB.gov](mailto:Rebekah.Ramirez@NLRB.gov)

Further affiant saith not.



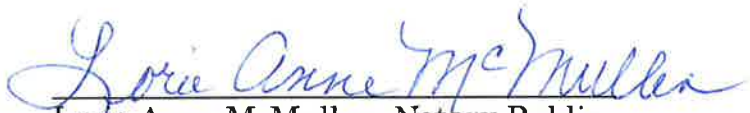
\_\_\_\_\_  
MICHAEL H. BURT  
6480 Timbercrest Lane  
West Terre Haute, IN 47885  
(812) 229-0383

STATE OF INDIANA     )  
  ) SS:  
COUNTY OF VIGO     )

SUBSCRIBED and sworn to before me, a notary public in and for said county and state, this 7<sup>th</sup> day of October, 2010.

My Commission Expires:

05/11/2012



\_\_\_\_\_  
Lorie Anne McMullen, Notary Public  
Resident of Vigo County, Indiana



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**ORDER ON MOTION FOR EXTENSION OF TIME**

COMES NOW the charging party, Michael H. Burt, and files his Motion for Extension of Time in which to File Exceptions and Brief.

The Board, having considered said Motion and being duly advised now finds that the same should be GRANTED.

IT IS THEREFORE ORDERED that the time for filing exceptions and supporting brief by the charging party, Michael H. Burt, is hereby extended to and including November 7, 2010.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Administrative Law Judge