



United States Government

**NATIONAL LABOR RELATIONS BOARD**  
**1099 14<sup>th</sup> STREET NW**  
**WASHINGTON DC 20570**

December 20, 2010

Re: Chicago Hotel Master Lessee, LLC,  
and Sage Hospitality Resources, LLC,  
a Single Integrated Enterprise, Single  
Employer and/or Joint Employers d/b/a  
Blackstone, a Renaissance Hotel  
Cases 13-CA-45089 et al.

### **SUPPLEMENTAL ORDER**

Respondent's Motion for Clarification of the Board's November 22, 2010 Order and Motion to Strike Answering Briefs of Charging Party and Counsel for the General Counsel are denied

In its November 22, 2010 Order, the Board denied Respondent's request that its post-hearing brief to the judge be transferred to the Board, but reserved the right to refer to the brief to clarify the judge's rulings as necessary. Respondent now seeks to clarify whether the Respondent's brief to the judge is part of the record. It is premature at this time to determine which parts of the brief to the judge, if any, the Board will consult. Respondent may resubmit its motion for clarification after the Board issues its decision.

Also in its November 22 Order, the Board granted counsel for the General Counsel's Motion to Strike Respondent's August 27, 2010 Brief in support of Exceptions because it was submitted using smaller type than that required by the Board's Rules. Respondent, however, was permitted to refile the brief in the correct type size. Respondent contends that in order to stay within the 90-page limit, which it had been previously granted, it was forced to drastically edit the original brief. It now moves to strike the Charging Party's and General Counsel's answering briefs because they responded to the rejected brief that was substantially altered when it was refiled. Alternatively, Respondent requests that the Board retain as part of the record its original Exceptions and Brief in Support.

It appears that Respondent misunderstood the November 22 Order. Respondent refiled a document that is comprised of both a list of Exceptions followed by its Brief in support, which totals 90 pages. The Exceptions portion is 22½ pages and the Brief portion is 67½ pages. Thus, the brief portion of the submission is more than 22 pages under the 90-page limit. Respondent alleged in the earlier Motion that a resubmission of the brief portion would probably not exceed the 90-page limit if it had to resubmit the brief in the correct type, which is exactly what the Board requested it to do in its November 22 Order.

Accordingly, although we deny the Motion to Strike the Charging Party's and General Counsel's Answering Briefs and the alternative request that the rejected brief be made part of the record, Respondent may resubmit the brief portion of its August 27, 2010 submission, not to exceed 90 pages, in the correct type size. In our view, and consistent with Respondent's earlier contention, that may be accomplished with little editing and alterations. **The due date for the filing of the conformed brief portion is December 27, 2010. No extensions will be granted for the filing of this document.**

By direction of the Board:

Richard D. Hardick  
Associate Executive Secretary

