

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

AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

5-CA-34837

5-CA-35014

and

5-CA-35244

5-CA-35419

UNION OF ALPA PROFESSIONAL AND ADMINISTRATIVE
EMPLOYEES, UNIT 1

**MOTION BY THE AIR LINE PILOTS ASSOCIATION FOR
RECONSIDERATION**

Pursuant to Section 102.46(d)(3) of the Board's Rules and Regulations, the Air Line Pilots Association ("ALPA") hereby requests reconsideration of the Order granting an extension of time until July 12, 2011 for Counsel for the Acting General Counsel ("CAGC") and the Union of ALPA Professional and Administrative Employees, Unit 1 ("Unit 1") (collectively, "the Charging Parties") to file answering briefs to Respondent ALPA's exceptions to the Administrative Law Judge's Decision ("ALJD"). As set forth below, because the schedule adopted by the Board's order imposes an undue burden on the Respondent and is contrary to the discussions between counsel to extend the briefing schedule for the Charging Parties, ALPA requests that the Board extend the time for the Charging Parties to file answering briefs and/or cross-exceptions until July 26, 2011. CAGC and Unit 1 join in this request.

On May 24, 2011, the Charging Parties requested, with Respondent's consent, an extension to file answering briefs through July 26, 2011. Prior to the submission of that request, the CAGC and counsel for ALPA had detailed discussions regarding their respective schedules. Initially, Counsel for the Acting General Counsel proposed an extension of time through July 16, 2011. The parties collectively determined that July 16

was unworkable, because the ALPA attorney with primary responsibility for drafting the reply brief for ALPA has a pre-scheduled vacation from July 18 through July 25, and would therefore be unavailable to work on the reply brief for most of the 14-day period permitted for replies under the Board's Rules and Regulations. *See* Section 102.46(h) of the Board's Rules and Regulations. Counsel agreed that such a scenario was not reasonable, given that Section 102.46(h) forbids extensions of the 14-day period for filing replies. The schedules of Counsel for the Acting General Counsel and counsel for Unit 1 included previously-planned conflicting professional and personal commitments that foreclosed the possibility of seeking a shorter extension of time. Accordingly, the Charging Parties proposed an extension through July 26 to accommodate their commitments and to ensure that ALPA had sufficient opportunity to draft and file its reply.

ALPA's consent to the Charging Parties' request was therefore premised on an understanding that ALPA would not be prejudiced by the extension.

Unfortunately, the July 12 extension granted by the Board places counsel for ALPA in precisely the position that all parties sought to avoid: counsel for ALPA will be out of the office and unavailable to work on a reply brief for almost the entire 14-day period permitted for replies.

So that ALPA will not be prejudiced, and so that all parties may have sufficient time to consider and respond to the exceptions and answering briefs, the parties jointly respectfully request that, for good cause shown, the Board reconsider its ruling on the

motion for extension of time filed by the Charging Parties and set the deadline for filing their answering briefs and/or cross exceptions as July 26, 2011.

Respectfully submitted,

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Dated: June 17, 2011

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of June, 2011 served a copy of this

Motion for Reconsideration by email service upon the following.

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