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

| | | |
|---|---|---|
| **EAST-WEST UNIVERSITY,** | ) | |
| | ) | |
| **Employer,** | ) | |
| **v.** | ) | **Case No. 13-RC-22017** |
| | ) | |
| **UNITED ADJUNCT FACULTY** | ) | |
| **ASSOCIATION AT EAST-WEST** | ) | |
| **UNIVERISTY, IEA-NEA,** | ) | |
| | ) | |
| **Petitioner.** | ) | |

**MOTION TO FILE UNTIMELY**

Now Comes Petitioner's Counsel and respectfully requests that Petitioner's Memorandum in Support of Regional Director's Supplemental Decision to Overrule Employer's Objection be allowed to be filed untimely for the following reasons:

1. On Monday, August 1, 2011, the undersigned counsel timely e-filed the attached Memorandum in Support of Regional Director's Supplemental Decision to Overrule Employer's Objection denying issuance of a charge based upon Employer's objections to the election.

2. Petitioner's Memorandum in Support of Regional Director's Supplemental Decision to Overrule Employer's Objection was inadvertently e-filed with the Regional Director at Region 13 instead of with the NLRB in Washington D.C. This document was also sent via telefax to opposing counsel and the NLRB office in Washington D.C. on the evening of August 1, 2011. A true and correct copy of the receipt that Petitioner's Counsel received in response to the e-filing with Region 13 is attached hereto as Exhibit A.

3. At approximately 4 a.m. on August 2, 2011, Counsel for Petitioner realized that the memorandum had been filed with the Regional Director at Region 13 instead of the NLRB in Washington D.C. and attempted once again to file the document electronically at that time. A true and accurate copy of the receipt of that filing with the NLRB Region 13 is attached hereto as Exhibit B.

4. Petitioner's Counsel was unable to subsequently contact the NLRB in Washington D.C. regarding this erroneous filing because she broke her right arm and has been indisposed.

Petitioner's Counsel respectfully requests that the NLRB accept this belated filing on the basis stated above.

Respectfully submitted,

/s/ Laurie M. Burges

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