

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 20, SUBREGION 37

STEPHENS MEDIA, LLC d/b/a
HAWAII TRIBUNE-HERALD

and

Cases 37-CA-7043
37-CA-7045
37-CA-7046
37-CA-7047
37-CA-7048
37-CA-7084
37-CA-7085
37-CA-7086
37-CA-7087
37-CA-7112
37-CA-7114
37-CA-7115
37-CA-7186

HAWAII NEWSPAPER GUILD, LOCAL 39117,
COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO

COUNSEL FOR THE ACTING GENERAL COUNSEL'S PETITION TO
REVOKE RESPONDENT'S SUBPOENA DUCES TECUM ISSUED TO
DISCRIMINATEE DAVID HUNTER BISHOP

I. Introduction

On February 19, 2013, discriminatee David Hunter Bishop (Bishop) was served with Subpoena Duces Tecum No. B-638174 (Subpoena) by Respondent Stephens Media, LLC d/b/a Hawaii Tribune-Herald (Respondent). Counsel for the Acting General Counsel (General Counsel) respectfully files this petition to revoke (Petition) the Subpoena for the reasons set forth below. A copy of the Subpoena and its attachments are attached to this Petition as Exhibit "A".

II. Argument

A. **Paragraph 1 of Subpoena Attachment “B” is Overbroad and Seeks Irrelevant Documents**

Respondent requests that Bishop produce his federal and state tax returns from 2005 through 2012. The only foreseeable relevance of Bishop’s tax returns would be to demonstrate the total annual amount of income he earned from wages during the backpay period. Section 102.31(b) of the Board’s Rules and regulations provides:

The administrative law judge or the Board, as the case may be, shall revoke the subpoena if in its opinion the evidence whose production is required does not relate to any matter under investigation or in question in the proceedings or the subpoena does not describe with sufficient particularity the evidence whose production is required, or if for any other reason sufficient in law the subpoena is otherwise invalid.

This request is overbroad, and the requested information irrelevant, to the extent its breadth encompasses tax returns that Bishop may have filed jointly with his wife. The tax information pertaining to Bishop’s wife does not relate to any matter under investigation or in question in the compliance hearing.

The Board has also revoked requests for an individual’s tax documents when alternatives exist for obtaining the same information from another source. *Brink’s Incorporated*, 281 NLRB 468, 469 (1986) (Board affirmed hearing officer’s revocation of employer’s subpoena request for individual’s tax returns when purpose was to determine whether individual received money from union because such information may have been obtainable from another more convenient and less burdensome source). Individual tax returns contain personal and private information extraneous to a compliance proceeding. Other documents exist in this case which provide more accurate reflections of Bishop’s interim earnings and their sources, for example, W-2 forms.¹

¹ Bishop’s W-2 forms for the years 2005 through 2008 were provided to Respondent on February 14, 2013. General Counsel is not claiming backpay for Bishop as of the fourth quarter of 2008, as explained below.

General Counsel therefore respectfully requests that Paragraph 1 of Subpoena Attachment “B” be revoked. Given the sensitive nature of Bishop’s tax returns, if the administrative law judge determines that the documents should be produced to Respondent, General Counsel requests that the administrative law judge conduct an *in camera* review of Bishop’s tax returns prior to ordering Bishop to produce them to Respondent.

Even assuming that Respondent’s request is generally relevant to the issue of interim earnings, its current request is overbroad and seeks information for irrelevant time periods. Respondent’s request encompasses Bishop’s tax returns from 2005 through 2012. However, General Counsel is not claiming backpay for Bishop from the fourth backpay quarter of 2008 through the end of his backpay period. Because Bishop’s interim earnings after the third backpay quarter of 2008 are not an issue in the compliance proceeding, the tax returns sought by Respondent after 2008 are not relevant.² Consequently, General Counsel respectfully petitions, in the alternative, to revoke Paragraph 1 of Subpoena Attachment “B” to the extent that it seeks Bishop’s federal and state tax returns from 2009 through 2012. If the administrative law judge decides that Bishop’s tax returns from 2005 to 2008 should be produced to Respondent, General Counsel would also request that the administrative law judge conduct an *in camera* inspection of those documents, for the same reasons set forth above, before ordering Bishop to produce them to Respondent.

² Respondent may argue that it is attempting to verify whether or not Bishop had more interim earnings than admitted by General Counsel in order to assert that Bishop’s excess interim wages should offset any claims for his medical expenses during the corresponding backpay quarter. See Respondent’s fourth affirmative defense in its Answer to Amendment to Compliance Specification (Answer), filed February 15, 2013. Documents with information about Bishop’s interim earnings after the fourth quarter of 2008 are also irrelevant because Respondent’s purported defense is contrary to law. General Counsel has filed a motion to strike this defense. See Counsel for the Acting General Counsel’s Motion to Strike Portions of Respondent’s Answer to Amendment to Compliance Specification, filed February 21, 2013.

B. Paragraph 2 of Subpoena Attachment “B” is Burdensome, Vague, Overbroad, and Seeks Irrelevant Documents

Paragraph 2 requests “all documents” which reflect compensation for work from October 2005 to June 25, 2012, including “bank records.” It appears that Respondent requests these documents in order to investigate Bishop’s interim earnings during the backpay period. The request for “all documents” covering a period of nearly seven years is vague and overbroad because it does not specify exactly what types of documents Respondent is seeking, with the exception of “bank records.” The request for Bishop to search for seven years of vaguely described documents, without more clarification, is also burdensome. This is particularly true when other documents, such as W-2 forms, constitute a less burdensome source of information for Bishop to produce.

The request that Bishop provide to Respondent “bank records” which reflect compensation for work over nearly seven years to Respondent is problematic. The term “bank records” is vague and overbroad, and as such it encompasses extraneous and irrelevant financial information in its sweep. The request that Bishop search through almost seven years of documents for such undefined “bank records” is also very burdensome.

The request for “bank records” is also overbroad and irrelevant to the extent it may encompass records of joint bank accounts that Bishop may have with his wife. As explained above, Bishop’s wife is not involved in the compliance proceeding. Thus, documents which incorporate her banking information do not relate to any matter in question in the compliance hearing.

Assuming that Respondent is requesting Bishop’s “bank records” to search for potential interim earnings, the information Respondent seeks is likely to be intermingled with other extraneous, irrelevant, and highly personal financial information. See *Brink’s Incorporated*, 281

NLRB at 469 (subpoena may be unreasonably broad where substantial privacy rights are at stake). The same type of information can be gleaned from more concise, less intrusive documents, such as W-2 forms, which are far less burdensome for Bishop to produce. See *id.*

For all these foregoing reasons, General Counsel respectfully requests that Paragraph 2 of Subpoena Attachment “B” be revoked as vague, overbroad, burdensome, and seeking irrelevant information. In the alternative, General Counsel respectfully requests that the administrative law judge conduct an *in camera* review of Bishop’s “bank records” to determine whether the information is relevant prior to ordering Bishop to produce them to Respondent.

If Respondent is seeking the documents described in Paragraph 2 to examine Bishop’s interim earnings during the backpay period, then the request for documents regarding Bishop’s interim earnings after the third backpay quarter of 2008 is irrelevant and overbroad for the reasons set forth in Section II.A, above. Accordingly, in the alternative, General Counsel respectfully petitions to revoke Paragraph 2 of Subpoena Attachment “B” to the extent that it requests any documents with information about interim earnings after the third backpay quarter of 2008. General Counsel would also request that the administrative law judge conduct an *in camera* review of Bishop’s “bank records” from 2005 to 2008, before ordering Bishop to produce them to Respondent.

C. Paragraph 3 of Subpoena Attachment “B” is Burdensome, Overbroad, and Seeks Irrelevant Documents

Paragraph 3 requests “all documents which reflect compensation from the Communication Workers of America and/or its affiliated or subordinate unions, including the Pacific Media Workers Newspaper Guild Local 39521, (previously Hawaii Newspaper Guild Local 39117) from October 2005 through June 2012.” The Compliance Specification in paragraph 3.e alleges that Bishop secured interim employment with The Hawaii Newspaper

Guild, Local 39117 (Guild), from November 7, 2005, through December 5, 2008. Accordingly, this request also appears to be related to Bishop's interim earnings during the backpay period.

The vague and overbroad request for "all documents reflecting compensation" from the Guild covering almost a seven year period is overbroad and burdensome, for the reasons fully explained in Section II.B, above. Accordingly, General Counsel respectfully requests that Paragraph 3 of Subpoena Attachment "B" be revoked.

In the alternative, for the reasons set forth in Section II.A above, Respondent's request for documents with information pertaining to Bishop's interim earnings after the third backpay quarter of 2008 is irrelevant and overbroad. Accordingly, General Counsel respectfully petitions to revoke Paragraph 3 of Subpoena Attachment "B" to the extent that it requests any documents with information about interim earnings after the third backpay quarter of 2008.

D. Paragraph 4 of Subpoena Attachment "B" is Overbroad and Seeks Irrelevant Information

The Compliance Specification alleges that Bishop secured interim employment with the Guild, from November 7, 2005, through December 5, 2008, and then with the County of Hawaii from December 8, 2008, through July 9, 2012. General Counsel also admits that Bishop had interim earnings during those portions of his backpay period. Paragraph 4 of Subpoena Attachment "B" requests documents pertaining to Bishop's supplemental work during the backpay period for Lava Tree Productions, which Respondent may argue will bolster Bishop's interim earnings during the backpay period. The requested documents are irrelevant because any work Bishop performed for Lava Tree Productions during the backpay period is considered supplemental employment. Earnings from such supplemental employment are not generally deductible against gross backpay. See *Miami Coca-Cola Bottling Co.*, 151 NLRB 1701, 1710-11 fn.24 (1965) (earnings from supplemental cab-driving work obtained by discriminatee after

his unlawful termination not deducted from gross backpay), enfd. in relevant part 360 F.2d 569 (5th Cir. 1966); NLRB Casehandling Manual Part III (Compliance), Section 10554.4.

Moreover, requested documents such as articles of incorporation, rents, and utilities have no relevance to any interim earnings Bishop would have received from Lava Tree Productions. For the foregoing reasons, General Counsel respectfully requests that Paragraph 4 be revoked in its entirety.

In the alternative, for the reasons set forth in Section II.A above, Respondent's request for documents pertaining to Bishop's interim earnings after the third backpay quarter of 2008 are irrelevant and overbroad. Therefore, in the alternative, General Counsel respectfully petitions to revoke Paragraph 4 of Subpoena Attachment "B" to the extent that it requests any documents with information after the third backpay quarter of 2008.

E. Paragraph 5 of Subpoena Attachment "B" is Overbroad and Seeks Irrelevant Information

Respondent requests that Bishop produce "all employment contracts with Hawaii Newspaper Guild Local 39117 and/or its successor and/or parent or affiliated union from October 2005 through June 2012." Respondent, again, appears to be searching for documents regarding Bishop's interim earnings during the backpay period. However, this request is overbroad and seeks irrelevant information after the third backpay quarter of 2008 for the reasons set forth above in Section II.A. Accordingly, General Counsel respectfully requests that Paragraph 5 of Subpoena Attachment "B" be revoked to the extent it seeks documents after the third backpay quarter of 2008.

F. Paragraph 6 of Subpoena Attachment "B" is Burdensome, Overbroad, and Seeks Irrelevant Information

Respondent seeks "all documents" pertaining to Bishop's requests for leave from "any employer from October 2005 through June 2012[.]" The request for "all documents related to

requests for leave from any employer” covering almost a seven year period is overbroad and burdensome, for the same reasons set forth above in Section II.B. This request conceivably includes all documents related to any type of leave, including sick and vacation leave, taken by Bishop during the requested period. Not only is this overbroad, but such documents have no relation to this proceeding because there is no issue in the Compliance Specification regarding any types of leave for Bishop. Accordingly, General Counsel respectfully requests that Paragraph 6 of Subpoena Attachment “B” be revoked.

G. Paragraph 7 of Subpoena Attachment “B” is Burdensome, Overbroad, and Seeks Irrelevant Information

In Paragraph 7, Respondent requests “all documents related to insurance premiums and insurance policies” that Bishop “was offered” and in which he participated between October 2005 and June 2012. One issue in this backpay proceeding is the amount of interim expenses Bishop incurred as a result of being unlawfully terminated by Respondent. Bishop’s medical insurance premiums during his employment with the County of Hawaii are one of the interim expenses claimed. However, there is no claim for any other type of insurance. Not only is this request overbroad and burdensome because it requests “all documents related to insurance premiums” covering almost a seven year period, but it does not specify what types of insurance policies Respondent seeks. For the reason set forth in section II.B above, this overbroad request conceivably encompasses a multitude of documents that have no bearing on the issues in this case. To the extent this request calls for the insurance options available to Bishop during the backpay period, that is irrelevant. The request is also irrelevant to the extent it requests documents related to insurance premiums and policies Bishop was offered. Whether or not Bishop was “offered” insurance premiums or policies is not at issue. Accordingly, General Counsel respectfully requests that Paragraph 7 of Subpoena Attachment “B” be revoked.

In the alternative, General Counsel respectfully requests that Paragraph 7 of Subpoena Attachment “B” be revoked as to any periods prior to the fourth backpay quarter of 2008 because the request is overbroad and requested documents are irrelevant. General Counsel does not assert any claims for any insurance, medical or otherwise, in the Compliance Specification for Bishop prior to the fourth backpay quarter of 2008. Accordingly, documentation prior to the fourth backpay quarter of 2008 do not relate to any issue in dispute.

H. Paragraph 8 of Subpoena Attachment “B” Seeks Irrelevant Documents

Respondent requests that Bishop produce “all documents related to David Smith and his retirement from *Hawaii Tribune-Herald* that became effective on September 1, 2007.” Bishop has no relation to discriminatee David Smith’s (Smith) alleged “retirement” and this request is not relevant to any issues about Bishop’s backpay claims in the Compliance Specification. General Counsel therefore respectfully requests that Paragraph 7 of Subpoena Attachment “B” be revoked as irrelevant.

I. Paragraph 9 of Subpoena Attachment “B” Seeks Irrelevant Documents

Respondent requests that Bishop produce “all documents related to requests by the National Labor Relations Board, including SubRegion 37 and its agents, to obtain a verification of [Bishop’s] tax returns for years 2005 through 2012.” The documents requested by Respondent relate, at best, to Respondent’s assertion in its Answer to Amendment to Compliance Specification (Answer) that, among other things, General Counsel acted improperly by not relying on verified tax returns to calculate Bishop’s backpay prior to issuing the Compliance Specification. There is no support for Respondent’s position that General Counsel must rely on a verified tax return to establish backpay and General Counsel on February 21, 2013, moved to strike this assertion in Respondent’s Answer. For those same reasons, the documents

Respondent requests in Paragraph 9 are also irrelevant and General Counsel respectfully requests that Paragraph 9 of Subpoena Attachment “B” be revoked.

J. Paragraph 10 of Subpoena Attachment “B” is Overbroad and Seeks Irrelevant Documents

In Paragraph 10, Respondent requests “all documents related to retirement plans (401(k), pension) in which [Bishop] participated, or had the ability to participate in, from October 2005 through June 2013, and matching amounts or contributions made by employers to these plans.” Bishop’s retirement benefits while employed by Respondent consisted of contributions made to the Newspaper Guild International Pension Fund (Guild Pension Fund) by Respondent. To the extent Respondent seeks documents with information about other 401(k) plans or other pension funds in order to determine an offset to its delinquent contributions to the Guild Pension Fund on behalf of Bishop, it is not relevant because other retirement plans are not the “equivalent” to the one lost due to the discrimination. See *Laborers Local 158 (Worthy Bros.)*, 301 NLRB 35, 38 (1991). Accordingly this request is overbroad and seeks irrelevant information.³

Respondent’s request for documents pertaining to retirement plans Bishop “had the ability to participate in” is also irrelevant because, as explained in Section II.G above, whether or not Bishop “had the ability to participate in” a retirement plan is not an issue. Rather, it is whether Bishop actually participated in a retirement plan and Respondent is entitled to an offset due to such participation. Consequently, this portion of the request is also overbroad and irrelevant. For the foregoing reasons, General Counsel therefore respectfully requests that Paragraph 10 of Subpoena Attachment “B” be revoked.

³ In Section 6(b) of its Answer, Respondent also admits to the amount it owes the Guild Pension Fund on behalf of Bishop, as alleged in the Compliance Specification.

III. Conclusion

For the reasons set forth above, General Counsel respectfully requests that Subpoena Duces Tecum No. B-638174 be revoked.

DATED AT Honolulu, Hawaii, this 22nd day of February, 2013.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Trent K. Kakuda". The signature is written in a cursive style with a large, looping flourish at the end.

Trent K. Kakuda
Counsel for the Acting General Counsel
National Labor Relations Board
Subregion 37
300 Ala Moana Blvd. Rm. 7-245
P.O. Box 50208
Honolulu, HI 96850

FORM NLRB-31
(12-07)

SUBPOENA DUCES TECUM

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

To DAVID ANTER BISHOP
13-3598 KUMAKAHU STREET, PAHA, HI 96770

As requested by L. MICHAEL ZINSER, THE ZINSER LAW FIRM
whose address is 414 UNION STREET, SUITE 1200, NASHVILLE, TN 37219
(Street) (City) (State) (ZIP)

YOU ARE HEREBY REQUIRED AND DIRECTED TO APPEAR BEFORE _____
an Administrative Law Judge of the National Labor Relations Board

at Room 7-241, 300 Ala Moana Boulevard

in the City of Honolulu, Hawaii

on the ~~11th~~ 12th day of March 20 13 at 9:00 (a.m.) (p.m.) or any adjourned
or rescheduled date to testify in Hawaii Tribune-Herald, 37-CA-7043, et al

(Case Name and Number)

And you are hereby required to bring with you and produce at said time and place the following books, records, correspondence, and documents:

SEE ATTACHMENTS A & B

In accordance with the Board's Rules and Regulations, 29 C.F.R. Section 102.31(b) (unfair labor practice proceedings) and/or 29 C.F.R. Section 102.66(c) (representation proceedings), objections to the subpoena must be made by a petition to revoke and must be filed as set forth therein. Petitions to revoke must be received within five days of your having received the subpoena. 29 C.F.R. Section 102.111(b) (3). Failure to follow these regulations may result in the loss of any ability to raise such objections in court.

Under the seal of the National Labor Relations Board, and by direction of the Board, this Subpoena is

B - 638174

Issued at San Francisco, California



this 2nd day of January 20 13

Leo A. Helzer

NOTICE TO WITNESS. Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed. A witness appearing at the request of the General Counsel of the National Labor Relations Board shall submit this subpoena with the voucher when claiming reimbursement.

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is mandatory in that failure to supply the information may cause the NLRB to seek enforcement of the subpoena in federal court.

EXHIBIT A

ATTACHMENT A INSTRUCTIONS

1. As used in this request, the term "document" means, without limitation, the following items, whether printed or recorded or reproduced by any other mechanical process, or written or produced by hand or computer: agreements, communications, reports, correspondence, electronic mail (E-mail), telegrams, memoranda, summaries or records of telephone conversations, summaries of records of personal conversations or interviews, diaries, notebooks, notes, charts, plans, summaries or records of meetings or conferences, transcripts or summaries or reports of investigations or negotiations, books, magazines, brochures, pamphlets, advertisements, circulars, press releases, articles, drafts, letters, internal or inter-office memoranda or correspondence, questionnaires or surveys and responses thereto, employment applications, employment or personnel files, job descriptions, lists, and marginal comments appearing on any document, computer files and paper copies thereof, computer disks (floppy or hard), video tapes, compact disks, audio cassette tapes, digital video disks, recordings and transcriptions or summaries thereof and all other writings or recordings of any variety.

a. This document request includes, but is not limited to documents contained on any computer, including the computer hard drive.

- i. When computer disks are produced, a printout of the pertinent materials therefrom should also be produced.
- ii. When a printout is made from computer records, whenever possible, items should be arranged in chronological order (for example, dates

of hire, discharge, discipline, payroll), or, for events occurring the same date, items should be arranged in alphabetical order by last name.

2. "You," "Your," and "Yours" includes, you, David Hunter Bishop, your agents, your employees, your members, their agents, their employees, your attorneys, your accountants, your investigations, and anyone else acting on your behalf.
3. Whenever used herein, the singular shall be deemed to include the plural, and the plural shall be deemed to include the singular; the masculine shall be deemed to include the feminine and the feminine shall be deemed to include the masculine; the conjunctive "and" shall be deemed to include the disjunctive "or"; and each of the words "each," "every," "any," and "all" shall be deemed to include each of the other words.
4. Unless otherwise stated, this document request relates to and/or concerning documents from January 2005 to the present.
5. In responding to these Requests, furnish all documents, however obtained, that are available to you and information known by or in possession of yourself, your agents, your attorney or appearing in your records. If you cannot respond to a Request fully because information has been lost, destroyed, or is otherwise presently unavailable, respond as completely as you can and explain:
 - a. the scope of your investigation, and;
 - b. why you cannot fully respond to the Request.

ATTACHMENT B

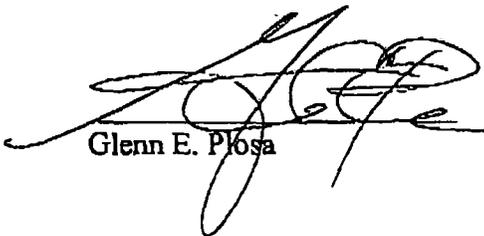
1. All Federal and State Tax Returns from 2005 through 2012.
2. All documents that reflect compensation for work from October 2005 to June 25, 2012, including bank records.
3. All documents reflecting compensation from the Communication Workers of America and/or its affiliated or subordinate unions, including the Pacific Media Workers Newspaper Guild Local 39521, (previously Hawaii Newspaper Guild Local 39117) from October 2005 through June 2012, including bonuses, "hardship pay," and reimbursements.
4. All documents related to Lava Tree Productions including articles of incorporation, ledgers, profit and loss statements, rents and utilities, revenues, and remuneration from 2005 through 2012.
5. Copies of all employment contracts with Hawaii Newspaper Guild Local 39117 and/or its successor and/or parent or affiliated unions from October 2005 through June 2012.
6. All documents related to requests for leave from any employer from October 2005 through June 2012, including Hawaii Newspaper Guild Local 39117 (and/or its successor and/or parent or affiliated unions), County of Hawaii, State of Hawaii, and any other employers.
7. All documents related to insurance premiums and insurance policies that you were offered and in which you participated between October 2005 and June 2012.
8. All documents related to David Smith and his retirement from *Hawaii Tribune-Herald* that became effective on September 1, 2007.
9. All documents related to requests by the National Labor Relations Board, including SubRegion 37 and its agents, to obtain a verification of your tax returns for years 2005 through 2012.
10. All documents related to retirement plans (401(k), pension) in which you participated, or had the ability to participate, from October 2005 through June 2013, and matching amounts or contributions made by employers to these plans.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing SUBPOENA DUCES TECUM AND AD

TESTIFICATUM was served via FedEx on this 18th day of February 2013, on the following:

Hunter Bishop
13-3598 Kumakahi Street
Pahoa, HI 96778



Glenn E. Plosa

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of Counsel for the Acting General Counsel's Petition to Revoke Respondent's Subpoena Duces Tecum Issued to Discriminatee David Hunter Bishop in Case 37-CA-7043, et al. has this day been served as described below upon the following persons at their last-known address:

1 copy	L. Michael Zinser, Esq. Glenn Plosa, Esq. The Zinser Law Firm 414 Union Street, Suite 1200 Bank of America Plaza Nashville, TN 37219	VIA U.S. Mail and E-Mail
1 copy	Barbara Camens, Esq. Barr & Camens 1025 Connecticut Avenue, NW Suite 712 Washington, DC 20036	VIA U.S. Mail and E-Mail
1 copy	Heather Ahue, Business Manager Hawaii Pacific Media Workers Guild (Local 39521) 888 Mililani St, Ste 303 Honolulu, HI 96813	VIA U.S. Mail and E-Mail
1 copy	Carl Hall, Executive Officer Pacific Media Workers Guild (Local 39521) 433 Natoma St, 3 rd Floor San Francisco, CA 94103	VIA U.S. Mail and E-Mail

DATED at Honolulu, Hawaii, this 22nd day of February, 2013.



Trent K. Kakuda
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P. O. Box 50208
Honolulu, HI 96850