

July 23, 2013

BY E-FILE

Executive Secretary Gary Shinnars
National Labor Relations Board
1099 14th Street, Northwest
Washington, D.C. 20570-0001

Re: DHSC, LLC d/b/a Affinity Medical Center
Case Nos. 8-CA-090083, 090193, 093035 and 095833

Dear Mr. Shinnars:

I represent DHSC, LLC d/b/a Affinity Medical Center (hereafter, the “Hospital”), as the Respondent in the above-referenced cases. On July 1, 2013, Administrative Law Judge Arthur J. Amchan issued a Decision in the above-referenced cases from which Exceptions, together with the Brief in Support of the Exceptions (hereafter, collectively, the “Exceptions”), are currently due on Monday, July 29, 2013. For the reasons set forth below, I respectfully request that the deadline be extended up to and including Wednesday, August 7, 2013.

I am the attorney responsible for the preparation and submission of the Exceptions. For roughly the last two weeks, aside from a variety of other work matters, I have been engaged in various pre-hearing motion practice associated with, and general preparation necessary for, what was forecasted to be a four-day hearing commencing today in New Mexico in San Miguel Hospital Corp., Case No. 28-CA-22280. At the request of all the parties, the hearing was recently rescheduled for next month. However, in only the last few days, a number of events have taken place that will not leave me sufficient time to prepare and submit the Exceptions. Specifically, I will be representing a number of other clients in connection with expedited arbitrations that are scheduled to take place this week, and possibly, over the upcoming weekend as well.

In addition, last Thursday, July 18th, as part of the above-referenced case, the Regional Director for Region 8 filed with the U.S. District Court for the Northern District of Ohio, Eastern Division, a Petition for Injunctive Relief

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Under Section 10(j) of the National Labor Relations Act, together with a Supporting Brief that is forty-three (43) pages in length. Because I was the Hospital's lead counsel as part of the hearing before Judge Amchan, the 10(j) action will require my immediate attention, and as the corollary, substantially limit my opportunity to prepare the Exceptions, which, itself, will be a substantial project, insofar as the Decision is thirty-four (34) pages in length and concludes that the Hospital engaged in nine (9) unfair labor practices.

The deadline for the filing of Exceptions has not previously been extended. Counsel for the Acting General Counsel and Counsel for the Charging Party advised me today that their clients oppose the Hospital's extension request.

Sincerely,

/s/ _____

Bryan Carmody

cc: Sharlee Cendrosky, Esq. c/o Iva Choe, Esq., Counsel for the Acting General Counsel, by email
Jane Lawhon, Counsel for the Charging Party, by email