



United States Government

**NATIONAL LABOR RELATIONS BOARD**

Office of the Executive Secretary  
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July 24, 2013

Re: Ozburn-Hessey Logistics, LLC  
Cases 26-CA-070471, et al.

Glen M. Connor, Esq.  
Robert M. Weaver, Esq.  
Quinn, Connor, Weaver, Davies and Rouco  
2700 Highway 280, Suite 380  
Birmingham, AL 35223

Dear Counsels:

This acknowledges the July 12, 2013 receipt in this Office, through electronic filing, of Charging Party United Steelworkers Union's Cross-Exceptions to the Decision of Administrative Law Judge Margaret G. Brakebusch.

The exceptions in this case were due on June 7, 2013. Accordingly, any cross-exceptions were due by June 21, 2013, absent an extension of time for the filing of cross-exceptions. *Section 102.46(e) of the Board's Rules and Regulations*. That Section provides: "Any party who has not previously filed exceptions may, within 14 days, or such further period as the Board may allow, from the last date on which exceptions and any supporting brief may be filed, file cross-exceptions to any portion of the administrative law judge's decision, together with a supporting brief, in accordance with the provisions of paragraphs (b) and (j) of this section." No extension of time for the filing of cross-exceptions was requested or granted in this case. The extension of time to July 12, 2013 granted to the Acting General Counsel for the filing of an Answering Brief to the Respondent's Exceptions did not extend the time for the filing of cross-exceptions to that same date. *P & M Cedar Products, Inc.*, 282 NLRB 772, fn. (1987).

Accordingly, the Charging Party's Cross-Exceptions are untimely and cannot be forwarded to the Board for consideration.<sup>1</sup>

Very truly yours,

Henry S. Breiteneicher  
Associate Executive Secretary

cc: Parties

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<sup>1</sup> In light of the above, the Respondent's Motion to Strike the Charging Party's Cross-Exceptions, filed on July 22, 2013, is moot, and will not be addressed by the Board.