

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 9**

IN THE MATTER OF:	:	
BLSI, LLC	:	
And	:	Case 9-CA-46091
INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 18, AFL-CIO	:	RESPONSE TO MOTION FOR DEFAULT JUDGMENT
	:	

Now comes Defendant Thomas W. Kendo, Jr. Administrator for the Estate of Gordon L. Wray, Jr. . by and through the undersigned as counsel, and hereby respectfully asks this Board to deny the Motion for Default Judgment filed in this matter. As communicated to the movant in this matter, Gordon L. Wray, the owner of BLSI, LLC, is deceased. The Estate of Gordon L. Wray, Jr. has recently been opened in Montgomery County, Ohio Probate Court. Subsequently, Thomas W. Kendo, Jr., the Administrator for said estate, has discovered that the estate is insolvent. As a result, BLSI, LLC will cease to exist at the closing of the estate. Thus, any award of damages, levied penalties or order to bargain by this Board will become moot. Therefore, Defendant asks the Board to deny the Motion for Default Judgment and dismiss this case due to the fact that continuation of this case would be a waste of this Board's time and resources.

Respectfully Submitted,

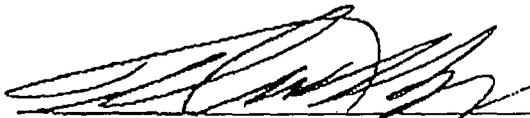


Thomas W. Kendo, Jr. (0058548)
Thomas W. Kendo, Jr. Co., LPA
7925 Paragon Road
Dayton, Ohio 45459
(937) 433-4090
Fax: (937) 433-1510
*Attorney/ Administrator for the Estate of
Gordon L. Wray, Jr. (pending)*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent this 23RD day of February, 2011, by ordinary U.S. Mail, postage prepaid, to the following:

Jonathan D. Duffey
3003 John Weld Federal Building
550 Main Street
Cincinnati, Ohio 45202-3271



Thomas W. Kendo, Jr. (0058548)