



United States Government

NATIONAL LABOR RELATIONS BOARD

Office of the Executive Secretary

1099 14th Street NW, Suite 11600

Washington, DC 20570

May 27, 2015

Re: Ridgewood Health Care Center, Inc. and
Ridgewood Health Services, Inc., a single employer
Cases 10-CA-113669 and 10-CA-136190

Jeffrey D. Williams, Esq.
Counsel for the General Counsel
Region 10
Harris Tower
233 Peachtree Street, N.E.
Suite 1000
Atlanta, GA 30317

Dear Mr. Williams:

This is a follow-up letter to our telephone conversation on Tuesday, May 26, 2015 regarding your failure to file with the Board an Answering Brief to the Respondent's Exceptions in this case. If filed electronically, Counsel for the General Counsel's Answering Brief was due to be received by 11:59 p.m. Eastern Daylight Time on Friday, May 22, 2015. As of today, the Board has not received an Answering Brief from Region 10.

You have emailed to me a confirmation e-mail you received from the Agency's e-Service system at 12:11 a.m. on Saturday, May 23, 2015. This confirmation e-mail shows that at 12:05:51 a.m. on Saturday, May 23, you filed electronically with Region 10, a document titled "Post-Hearing Brief to RD." Thus, your confirmation e-mail states: "You have successfully accomplished the steps for E-Filing document(s) with NLRB Region 10, Atlanta, Georgia." We have no indication in our records that you filed an Answering Brief with the Board at any time.

Pursuant to Section 102.111(c) of the Board's Rules and Regulations, a party may request that the Board accept a late filing pursuant to excusable neglect. If you decide to ask the Board to accept an untimely-filed Answering Brief, you should file a

motion pursuant to Section 102.111(c), which requires that: “The specific facts relied on to support the motion shall be set forth in affidavit form and sworn to by individuals with personal knowledge of the facts.” In this connection, the Board in *Elevator Constructors Local 2 (Unitec Elevator Services)*, 337 NLRB 426 (2002) held that “the signature of an attorney on the motion will not be treated as a substitute for the required affidavit.”

The Region’s Answering Brief should be filed in conjunction with the excusable neglect motion. The motion and the affidavit must be served on all the other parties and you must submit to the Board a written statement with the names of the parties served and the date and manner of service. Should you desire to file the motion and affidavit, please do so by close of business **June 3, 2015**.

Very truly yours,

Henry S. Breiteneicher, Esq.
Associate Executive Secretary

cc: Parties