

UNITED STATES OF AMERICA
BEFORE THE LABOR RELATIONS BOARD
REGION 28

LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA, LOCAL 872,

and

v.

Case 28-CC-148007

NAV-LVH, LLC d/b/a WESTGATE
LAS VEGAS RESORT & CASINO

**EXTENSION OF TIME REQUEST TO SUBMIT
ANSWERING BRIEF TO CROSS-EXCEPTIONS**

NAV-LVH, LLC d/b/a Westgate Las Vegas Resort & Casino (“Westgate”) respectfully requests a four (4) week extension of time, from November 13, 2015 until December 11, 2015, to submit its Answering Brief to Cross-Exceptions to the Decision of the Administrative Law Judge because it has good cause for the extension and states as follows:

1. On October 30, 2015, Local 872 filed their Cross-Exceptions to the Decision of the Administrative Law Judge and Brief in Support, which, in turn, made Westgate’s Answering Brief to Cross-Exceptions due on November 13, 2015.

2. Counsel for Westgate has a pre-arranged out-of-state arbitration in another matter the week of November 9, 2015 which requires her attention during this week, as well as additional upcoming travel in other non-related litigation that cannot be rescheduled for that same week. Consequently, in order to evaluate and draft an answer to Local 872 rather lengthy brief it will be necessary to have an extension. Unfortunately, the upcoming Thanksgiving Holiday also creates logistical problems.

3. Westgate's counsel has conferred with David Rosenfeld, Counsel for Local 872, and Elise Oviedo, General Counsel for the NLRB prior to filing this extension request. General Counsel does not oppose the extension request. However, Counsel for Local 872 indicated that he would only agree to the extension if Westgate- as property owner- removes some things from its own property, issues that are completely unrelated to this matter and completely outside of Westgate's counsel's control or authority. As Westgate counsel cannot and will not agree to Counsel for Local 872's unreasonable demand, Counsel for Local 872 has stated that he opposes the extension.

4. This request is made in good faith, not for the purposes of delay and will not be prejudicial to any of the Parties in this case.

WHEREFORE, for the reasons set forth above, Westgate respectfully requests an extension of four (4) weeks to file its Answering Brief to Cross-Exceptions until December 11, 2015 or in the alternative, any other extension that it is deemed to be reasonable by this agency.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was electronically filed via E-Gov, E-Filing, and electronic mail on this 6th day of November, 2015 on the following:

E-Gov, E-Filing

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