

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 5**

BAYHEALTH MEDICAL CENTER.,
and
BRENT GARFIELD, AN INDIVIDUAL

Case No. 05-CA-157145

RESPONDENT’S MOTION FOR CHANGE OF HEARING DATE

Pursuant to 29 C.F.R. § 102.16, the Respondent, Bayhealth Medical Center (“Respondent”) respectfully requests that the Regional Director reschedule the hearing in this matter, currently scheduled for January 12, 2016, to any one of the following dates: February 29, 2016; March 1–4, 2016, or another date after January 27, 2016.

The reasons in support of Respondent’s request are as follows:

Co-counsel for Respondent, Justin F. Keith, is also co-counsel for the employer in a case pending before Judge Raymond Green in Region 2 (Case No. 02-CA-134835 — Time, Inc.). The parties of that case are scheduled for additional trial days before Judge Green on January 7, 8, 11, 12, and 13. In light of the conflict with the previously-scheduled trial before Judge Green in Region 2, Respondent seeks a brief postponement of the hearing in this case.

This request is made more than 21 days prior to the scheduled hearing date.

Counsel for the General Counsel has informed Respondent that he is opposed to any postponement. Notwithstanding, Respondent has made a settlement offer to the Charging Party, and the parties are in current negotiations.

Wherefore, the Respondent requests that the Regional Director grant its request.

Dated: December 10, 2015

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned counsel for the Respondent, Bayhealth Medical Center, hereby certifies that he caused a true and correct copy of the foregoing:

RESPONDENT’S MOTION FOR CHANGE OF HEARING DATE

to be served by email upon the following parties of record on this 10th day of December, 2015:

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