

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES**

**CSC HOLDINGS, LLC and CABLEVISION
SYSTEMS NEW YORK CITY CORP.,**

Respondent,

-and-

**COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO,**

Charging Party.

Case Nos. 29-CA-134419
29-CA-135428
29-CA-136512
29-CA-136759
29-CA-137214
29-CA-142425

**RESPONDENT’S MOTION TO INCLUDE POST-HEARING EXHIBIT R-75 IN THE
RECORD**

Pursuant to Section 102.24 of the Rules and Regulations of the National Labor Relations Board, as amended, Cablevision Systems New York City Corporation and CSC Holdings, LLC (hereinafter referred to collectively as “Respondent,” “Cablevision,” or “the Company”), hereby requests leave to include post-hearing Exhibit R-75, regarding the parties’ subpoena correspondence, in the record for the unfair labor practice hearing that took place in the above-captioned matter. In support of this Motion, Respondent states as follows:

1. On the last day of the hearing on this matter, December 4, 2015, Your Honor stated that he would “officially receive all documents relating to subpoenas” in this matter following review by all parties. *See* Tr. Vol. 21, 3540-41. The record was closed subject to that qualification.

2. On January 12, 2016, in accordance with this ruling, Your Honor admitted Exhibit GC-88, which contained materials related to the subpoenas issued by Counsel for the General Counsel (hereinafter, the “GC”), as a post-hearing exhibit. Attached as Exhibit A is a copy of the ruling.

3. On March 17, 2016, Respondent provided the GC and the Charging Party Communications Workers of America, AFL-CIO (hereinafter, “Charging Party” or “the Union”) with a true and correct copy of R-75, and sought their consent to include R-75 as a post-hearing exhibit. Respondent explained to the GC and the Charging Party that R-75 contained the same kind of subpoena material included in GC-88 with regard to the subpoenas issues by Respondent. A copy of that correspondence is attached as Exhibit B.

4. On March 25, 2016, the GC and the Charging Party each informed Respondent that it objected to the inclusion of R-75 in the record. Specifically, the GC and the Charging Party assert that: (a) the documents contained in R-75 are “not relevant to any matter in dispute before [Your Honor],” (b) “the record in this case closed months ago and post[-hearing] briefs have already been submitted,” and (c) “there is no good reason to add more voluminous documents of questionable relevance to an administrative record that is already overburdened and unnecessarily lengthy.” A copy of the GC’s and Charging Party’s correspondence is attached as Exhibit C.

5. The objections raised by the GC and the Charging Party are meritless.

6. It is extraordinarily disingenuous for the GC to claim that the documents included in R-75 should not be accepted as a post-hearing exhibit and are not relevant to any matter in dispute in this case when the GC sought to enter exactly the same type of documents with regard to its subpoenas after the closing of the record. The documents in R-75 are merely the counterparts to the GC’s subpoena documents, which were admitted as GC-88. Moreover, Your Honor expressly invited the parties to submit the subpoena material after the closing of the record. Accordingly, having accepted GC-88, there is no logical reason to exclude Respondent’s subpoena documents.

7. Furthermore, Respondent is requesting admission of its subpoena material solely to ensure that it is part of the official record of this case in the event issues arise at any time relating to the subpoena record. The subpoena materials may not relate to issues currently before Your Honor, but could be the subject of future challenges, arguments or objections.

8. There is no prejudice to the GC or the Charging Party with respect to the admission of this material into the trial record. In fact, Respondent would be prejudiced if only the GC's and Union's subpoenas, responses and related documents were accepted as part of the record.

9. Finally, neither the GC nor the Charging Party has objected as to the inclusion of any of the specific documents that comprise R-75, none of which, therefore, are in dispute as to their authenticity.

10. Having provided the GC and the Charging Party with an opportunity to review R-75, and having demonstrated the relevance of R-75 and lack of prejudice to the GC and the Charging Party with respect to its admission, Respondent respectfully moves to include post-hearing Exhibit R-75 in the record.

Dated: April 1, 2016 at New York, New York.

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CERTIFICATION OF SERVICE BY ELECTRONIC MAIL

The undersigned, an attorney admitted to practice before the Courts of the State of New York, affirms under penalty of perjury, that on April 1, 2016, he caused a true and correct copy of the attached Respondent's Motion to Include Post-Hearing Exhibit R-75 in the Record to be served on behalf of Cablevision Systems New York City Corporation and CSC Holdings, LLC upon counsel for the General Counsel and counsel for the Charging Party by e-mail to the following addresses designated by each attorney for this purpose, respectively:

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Dated: April 1, 2016 at
New York, New York

/s/ Harlan J. Silverstein
Harlan J. Silverstein