

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

UNITED STATES POSTAL SERVICE,)	
)	
Respondent,)	
)	
and)	Case No. 07-CA-142926
)	
BRANCH 256, NATIONAL ASSOCIATION OF LETTER CARRIERS (NALC), AFL-CIO,)	
)	
Charging Party)	
)	
_____)	

RESPONDENT'S MOTION TO POSTPONE

Pursuant to the NLRB's Rules & Regulations, 29 C.F.R. § 102.16(a) & (b), and the NLRB Casehandling Manual ¶ 10294, the United States Postal Service (the "Postal Service") requests a postponement of the hearing in this matter, which is currently scheduled to be heard beginning on June 6, 2017.

1. Counsel for Respondent Dallas Kingsbury is currently scheduled for a hearing in Houston, TX in 20 consolidated cases, 16-CA-170336 et al, which is set to begin on June 12, 2017. This creates a scheduling conflict for Mr. Kingsbury, making it difficult to adequately prepare for this Region 7 case.

2. Mr. Kingsbury committed to the Houston hearings because he was unaware of the Regional Director's Order of February 27, 2017, Order which rescheduled the hearing in this matter. The Postal Service never received this Order, which was purportedly sent via regular mail.

3. When Ms. Barbara Brown, the Assistant to Judge Muhl, sent an email on May 22, 2017, requesting availability for a conference call on this matter, Mr. Kingsbury

responded with an email to her (and copying counsel for the General Counsel) stating that “I have no scheduling order or any other notice as to when a hearing in this case is supposed to occur.”

4. It was then that Counsel for the General Counsel responded via email with a copy of the Order and the affidavit of service.

5. Counsel for Respondent therefore believes that a postponement is just and proper under the circumstances.

6. There are less than 21 days before the scheduled date of the hearing.

POSITION OF THE PARTIES

7. Counsel for the General Counsel has indicated that they will not oppose this Motion.

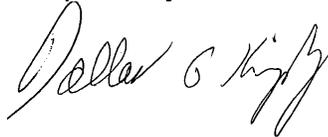
8. The representative of NALC Branch 256 has not responded to requests for their position on this Motion.

CONCLUSION

The Postal Service is requesting a postponement of the hearing to a convenient time as soon as possible beginning on or after September 8, 2017. The request is reasonable and necessary under the circumstances and there will be no prejudice to the Union.

DATED on this 22nd day of May, 2017.

Respectfully submitted,



Dallas G. Kingsbury
Attorney for United States Postal Service
Law Department – NLRB
1720 Market Street, Room 2400
St. Louis, MO 63155-9948
(702) 361-9349 (office)
dallas.g.kingsbury@usps.gov

CERTIFICATE OF SERVICE

I hereby certify that on this this 22nd day of May, 2017, I served the foregoing Motion to Postpone Hearing via regular first-class mail, unless otherwise indicated, as follows:

Division of Judges - (VIA E-FILING)

Hon. Charles Muhl
1015 Half Street SE,
Washington, DC 20570-0001

CC: VIA EMAIL

donna.nixon@nlrb.gov

Donna Nixon, Attorney
National Labor Relations Board, Region 7
477 Michigan Ave Room 300
Detroit, MI 48226

CHARGING PARTY

Paul Gillie, President
Branch 256, National Association of Letter Carriers
2483 S. Linden Road, Suite 50
Flint. MI 48532-5435

Dallas G. Kingsbury