

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

**LTTS CHARTER SCHOOL d/b/a
UNIVERSAL ACADEMY**

and

Case No. 16-CA-170669

KIMBERLY FREE, an individual

**MOTION FOR EXTENSION OF TIME TO FILE EXCEPTIONS
AND BRIEF IN SUPPORT OF EXCEPTIONS TO THE DECISION OF THE
ADMINISTRATIVE LAW JUDGE**

COMES NOW Maxie E. Gallardo, Counsel for the General Counsel, and pursuant to Section 102.46 and 102.111(b) of the Board's Rules and Regulations submits this Motion for an Extension of Time to file Exceptions and Brief in Support of Exceptions to the National Labor Relations Board, hereinafter Board, and in support of said Motion, Counsel for the General Counsel offers the following:

1.

On June 21, 2017, the Honorable Administrative Law Judge Robert A. Ringler issued his Decision and Recommended Order finding that Respondent is not an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act. Pursuant to Section 102.46(a) of the Board's Rules and Regulations, the due date for the filing of the General Counsel's Exceptions and Brief in Support of Exceptions to the Decision and Recommended Order in this matter is on or before July 19, 2017.

2.

Based on the peculiar legal and factual issues regarding jurisdiction raised in Judge Ringler's Decision and Recommended Order, additional time to adequately brief the issues presented in the instant case will be required. Specifically, consultation with the Division of Advice is required. Accordingly, Counsel for the General Counsel anticipates that the available time remaining will not be sufficient to adequately brief the issues raised by the Decision and Recommended Order.

3.

This request is being made within three days of the due date of the filing of the exceptions and brief in support based on circumstances not reasonably foreseeable by the undersigned. Pursuant to the Board's Rules and Regulations, Section 102.111(b), in support of this request, the undersigned offers the following. The Region's only attorney supervisor was forced to take leave unexpectedly. Prior to his departure, he had initiated contact with the Division of Advice about filing exceptions in this matter. With his unexpected absence from the office, that left the Region without any legal supervision, as the Region no longer has a Regional Attorney based on his recent promotion to Regional Director. The newly appointed Regional Director was on extended leave during this critical period shortly before the due date for filing exceptions. Consequently, the Region's consultations with the Division of Advice were delayed and we are awaiting guidance from them.

4.

Counsel for the General Counsel has contacted counsel for the Respondent regarding the instant Motion and Respondent's counsel has communicated that it does not

oppose the instant Motion. Based on the foregoing, Counsel for the General Counsel respectfully requests that the due date for Counsel for the General Counsel's Exceptions and Brief in Support of Exceptions in this matter be extended from July 19, 2017 to August 16, 2017.

DATED at Fort Worth, Texas, this 18th day of July, 2017.



Maxie E. Gallardo
Counsel for the General Counsel
National Labor Relations Board
Region 16
819 Taylor St., Rm 8A24
Fort Worth, Texas 76102

CERTIFICATE OF SERVICE

I certify that a copy of the above and foregoing Counsel for the General Counsel's Motion for Extension of Time To File Exceptions and Brief to the Administrative Law Judge's Findings has been served upon each of the following by email this 18th day of July, 2017:

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