

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

GREEN APPLE SUPERMARKET OF  
JAMAICA, INC.,

Respondent,

and

LOCAL 342, UNITED FOOD &  
COMMERCIAL WORKERS,

Charging Party.

Cases 29-CA-183238  
29-CA-188130

**RESPONDENT'S REQUEST FOR BRIEF EXTENSION OF TIME OF THREE DAYS  
TO FILE EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S DECISION**

COMES NOW, Respondent GREEN APPLE SUPERMARKET OF JAMAICA, INC. ("Respondent"), by their undersigned attorneys, pursuant to Section 102.46(a) of the Rules and Regulations of the NATIONAL LABOR RELATIONS BOARD ("Board"), hereby request for a brief extension of time for three (3) days, including Saturday and Sunday, from Friday, December 1, 2017 to Monday, December 4, 2017 to file exceptions to the Administrative Law Judge Kenneth W. Chu's decisions.

On November 22, 2017, the Board determined the new due date for the exceptions to the Board's Administrative Law Judge Kenneth W. Chu's decision, which was extensively modified by *errata*, as on November 29, 2017 and granted the Respondent's request for an extension of time to December 1, 2017.

The Respondent's counsel has been working on briefs and memorandums in a § 1983 case before the S.D.N.Y. recently. Because the City defendants asked the judge to adjourn their due day to file response papers to this Friday, December 1, 2017, the due day of my clients' responses and memorandums were also adjourned to this Friday, December 1, 2017. It is hard

and virtually becomes impossible to work on two cases at the same time. Hence, I reached out to the Counsel for the General Counsel, Ms. Genaira Tyce and Union's counsel, Mr. Martin L. Milner, to ask for their consent to a brief extension of the due day for three (3) days from Friday, December 1, 2017 to Monday, December 4, 2017.

Ms. Genaira Tyce responded that the General Counsel would not oppose the request of the Respondent's counsel "for a three day extension of time to file exceptions in this matter insofar as Respondent and the Board agree that there will be no further extensions of time granted in this matter."

Although Respondent's counsel has no intention to further extend the due day to file exception, Respondent does not want to limit their right to request a brief extension for good cause shown under the totality of the circumstances since the request has been brief without any intention to delay the proceedings.

**THEREFORE**, please extend the Respondent's due day for three (3) days from Friday, December 1, 2017 to Monday, December 4, 2017 to file the exception.

Dated: Flushing, New York  
November 29, 2017

Respectfully submitted,

/s/ David Yan  
David Yan, Esq.  
LAW OFFICES OF DAVID YAN  
136-20 38<sup>th</sup> Avenue, Suite 11E  
Flushing, New York 11354  
Tel.: (718) 888-7788

Attorney for Green Apple  
Supermarket of Jamaica, Inc.

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**CERTIFICATE OF SERVICE**

I, David Yan, being duly sworn, say that on November 29, 2017, I served the foregoing motion by electronic mail upon the following persons, addressed to them at the following addresses:

Genaira L. Tyce, Counsel for the General Counsel  
National Labor Relations Board, Region 29  
Two MetroTech Center, Fifth Floor  
Brooklyn, New York 11201-3838  
Email: [Genaira.Tyce@nlrb.gov](mailto:Genaira.Tyce@nlrb.gov)

Martin L. Milner Esq.  
Simon & Milner  
99 W. Hawthorne Ave, Suite 308  
Valley Stream, NY 11580  
Email: [mmilner@simonandmilner.com](mailto:mmilner@simonandmilner.com)

Dated: Flushing, New York  
November 29, 2017

Respectfully submitted,

/s/ David Yan

David Yan, Esq.  
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Tel.: (718) 888-7788  
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