

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

MARQUEZ BROTHERS ENTERPRISES, INC.

and

Case 21-CA-039581

ALFONSO MARES
Charging Party

and

Case 21-CA-039609

JAVIER AVILA
Charging Party

NOTICE OF RESUMPTION OF HEARING

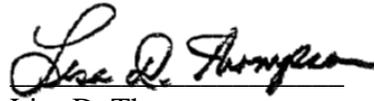
This matter is before me on the General Counsel's Motion and Renewed Motion to Reopen the Record, Motion for Reconsideration of my Second Ruling, and Motion to Stay the Filing of the Post Hearing Briefs in the above-referenced matter.¹

IT IS HEREBY ORDERED that the hearing in the above matter will resume on: **Wednesday, February 28, 2018, at 9:00 a.m. Pacific Time** at the National Labor Relations Board (NLRB or the Board), Region 21, 888 South Figueroa Street, 9th Floor, in downtown Los Angeles, California for the purpose of eliciting additional testimony solely from Charging Parties Alfonso Mares and Javier Avila concerning their interim earnings. No other witnesses will be approved to testify. In addition to those outlined on the record at the beginning of this hearing, additional rules, guidelines, and practices that will govern the hearing resumption are attached to this Order and will be implemented absent good cause shown.

The hearing will continue on consecutive days thereafter until concluded. Counsel for the General Counsel shall make arrangements for a court reporter to transcribe the hearing.

¹ This matter was addressed when I reopened the record telephonically on Thursday, February 1, 2018. After having reviewed the motion, Respondent's opposition therein, together with the Board's Order Granting the General Counsel's special appeal and reversing my evidentiary sanction against the General Counsel/Charging Parties, which had the effect of giving counsel for the General Counsel the right to reopen the record to elicit further testimony from the Charging Parties regarding interim earnings, the Motion is GRANTED.

Dated: February 5, 2018, San Francisco, CA



Lisa D. Thompson
Administrative Law Judge

Served by email to:

For the General Counsel:

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NLRB – Region 21

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For the Respondent:

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For the Charging Parties:

Javier Avila, pro se
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DiCrocco, Brian

From: DiCrocco, Brian
Sent: Monday, February 05, 2018 11:53 AM
To: Pereda, Elvira; Siegelj@jacksonlewis.com; Kymiya.St.Pierre@jacksonlewis.com; javieravila_18@yahoo.com; zaldate69@gmail.com
Subject: 21-CA-039581 - MARQUEZ BROTHERS ENTERPRISES, INC.: NOTICE OF RESUMPTION OF HEARING
Attachments: Marquez Bros Notice of Resumption of Hearing.pdf

Dear Counsel,

Please see the attached document.

Brian C. DiCrocco, Legal Tech.
NLRB Division of Judges San Francisco
628-221-8821