

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

**LOCAL 150, INTERNATIONAL UNION OF
OPERATING ENGINEERS (IUOE), AFL-CIO
(MacAllister Machinery Co., Inc.)**

Respondent

and

CASE 07-CB-177422

MARK GRISHABER, an Individual

Charging Party

**COUNSEL FOR THE GENERAL COUNSEL'S RESPONSE TO
RESPONDENT'S MOTION TO CHANGE THE HEARING DATE**

On May 25, 2018, Respondent filed a request to postpone the hearing date for 30 days. Counsel for the General Counsel opposes this motion for the following reasons:

1. Respondent's motion raises, for the first time, plans that Respondent's counsel presumably has from June 14 through 25, 2018.¹ Respondent provides no reason to believe that the events noted, which includes a pre-planned vacation, were not known at an earlier date, and thus, Respondent's motion at his late date is untimely.

2. Respondent also requests postponement to allow for settlement discussions. There are 13 days remaining before commencement of the June 11 hearing. Counsel for the General Counsel remains ready to discuss settlement if Respondent has any settlement offers it wishes to make. To date Respondent has made no settlement offers.

¹ Respondent mistakenly attributes these plans to Counsel for the General Counsel.

For the foregoing reasons, Counsel for the General Counsel respectfully requests that Respondent's motion to change the hearing date be denied.

Respectfully submitted this 29th day of May, 2018.

/s/Scott R. Preston

Scott R. Preston

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National Labor Relations Board

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CERTIFICATE OF SERVICE

I certify that on the 29th day of May, 2018, I e-mailed copies of Counsel for the General Counsel's Response to Respondent's Motion to Change the Hearing Date to the following parties of record:

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Date: May 29, 2018