

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

VOLKSWAGEN GROUP OF
AMERICA, INC.,

Respondent,

and

UNITED AUTO WORKERS,
LOCAL 42,

Charging Party.

*Re: Volkswagen Group of
America, Inc.*, No 16-1309
(D.C. Cir., Dec. 26, 2017),
Order remanding, 364 NLRB
No. 110 (2016), Board Case
Nos. 10-CA-166500, 10-CA-
169340 and 10-RC-162530

**UNITED AUTO WORKERS, LOCAL 42'S
UNOPPOSED MOTION FOR LEAVE TO FILE A REPLY**

United Auto Workers, Local 42 (“Local 42”) files this unopposed motion for leave to file a reply to Volkswagen Group of America, Inc.’s (“Volkswagen”) Response to Local 42’s Statement of Position. In support thereof, Local 42 states as follows:

1. On May 16, 2018, Local 42 timely filed its position statement in response to the Board’s April 18 invitation to file such statements. On this same date, Volkswagen filed its own one-page statement of position.

2. On May 18, counsel for Volkswagen contacted the undersigned and requested Local 42’s consent to the company filing a response to the union’s position statement. Local 42 stated it did not oppose this request, provided that

Volkswagen would not oppose Local 42 filing a reply. Volkswagen agreed to this condition and stated that agreement in its motion. *See Volkswagen's Unopposed Motion for Leave to File Response to the Union's Statement of Position ¶ 5.*

3. On May 22, the Board denied Volkswagen's motion to file a response.

4. On May 23, Volkswagen filed a motion for reconsideration in which it again stated that Local 42 had agreed not to oppose Volkswagen's motion to file a response on the condition that Volkswagen would not oppose Local 42 filing a reply. *See Volkswagen's Motion for Reconsideration of the Board's Denial of Volkswagen's Unopposed Motion for Leave to File Response ¶ 7.*

5. On May 25, the Board granted Volkswagen's motion for reconsideration, permitting the company to file its response.

6. Local 42 now moves for leave to file its reply, and has attached a copy of its proposed reply to this motion. As stated above and in Volkswagen's filings with the Board, Volkswagen does not oppose the filing of this reply. This motion is being filed promptly after the Board granted Volkswagen's motion for reconsideration.

7. Because the Board has already permitted Volkswagen to file a response to Local 42's timely-filed position statement, it is equitable to permit Local 42 to file a short and promptly-filed reply. As Volkswagen stated in its motion for reconsideration, where response briefing is permitted, it is standard briefing

procedure to permit the filing of a short reply. Volkswagen's Motion for Reconsideration ¶ 7.

WHEREFORE, Local 42 respectfully requests that the Board grant this motion and permit the filing of Local 42's reply.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of United Auto Workers, Local 42's Unopposed Motion for Leave to File a Reply was electronically filed via the NLRB E-Filing System with the National Labor Relations Board and served in the manner indicated to the parties listed below on this 30th day of May, 2018.

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