

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 20

EDWARD MEGUAL JACKSON,

Charging Party,

and

AT&T MOBILITY SERVICES LLC,

Charged Party.

Case No. 20-CA-215835

RESPONDENT AT&T MOBILITY SERVICES LLC'S MOTION TO
CONTINUE HEARING DATE

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RESPONDENT'S MOTION TO CONTINUE HEARING DATE

A. Motion to Postpone the Hearing Date Due to the Unavailability of Counsel.

Pursuant to Rule 102.16 of the National Labor Relations Board's Rules and Regulations, Respondent AT&T Mobility Services LLC ("the Employer" or "the Company") files this motion seeking a continuance of the hearing currently set for October 10, 2018 at 9:00 a.m. because of unavailability of counsel. The Employer respectfully requests that the hearing in this matter be postponed until any of the following dates: October 24, 25, or 26; or any day the week of October 29, 2018.

On June 21, the General Counsel served a Complaint in the above-referenced Charge. On July 11, the Employer retained Michael Pedhirney of Littler Mendelson to represent the Employer at the hearing in the above-referenced matter. Mr. Pedhirney submitted a Notice of Appearance with the Region on that day. Mr. Pedhirney has a prescheduled out-of-state trip planned from October 12, 2018 through October 16, 2018, and he is also scheduled to present at an out-of-town conference on October 22 and 23, 2018. Given the possibility that the hearing in this matter may take more than two days, it is necessary for the hearing to be continued for a brief period of time in order to ensure that it is completed without any delay or interruption in the proceedings.

It would be fundamentally unfair, and contrary to any principles of due process, to require the Employer to proceed with its defense in this matter without the counsel of its choice.

B. The Charging Party's Position Regarding a Postponement.

On July 11, Counsel for the Company sent a letter by Federal Express to the Charging Party, Edward Megual Jackson, regarding the Company's request to postpone the hearing. The Company has not yet received a response from Mr. Jackson.

C. Conclusion.

The Employer has not sought any prior continuances in this matter, and the brief continuance requested will not in any way prejudice the rights of the Charging Party. On the other hand, and for the reasons stated above, a denial of this Motion will prejudice the Employer as it will be deprived of the counsel of its choice.

WHEREFORE, the Employer respectfully requests that the hearing in this matter be postponed until October 24, 25, or 26; or any day the week of October 29, 2018.

Dated: July 13, 2018

LITTLER MENDELSON
A Professional Corporation

By: 
MICHAEL G. PEDHIRNEY
Attorney for Respondent
AT&T MOBILITY SERVICES LLC

CERTIFICATE OF SERVICE

Case Nos.: 20-CA-215835

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Littler Mendelson, P.C., 333 Bush Street, 34th Floor, San Francisco, California 94104. On July 13, 2018, I served the within document(s): **RESPONDENT AT&T MOBILITY SERVICES LLC'S MOTION TO CONTINUE HEARING DATE** on the interested parties as follows:

BY FIRST-CLASS MAIL: I enclosed a true and correct copy of the document(s) in a sealed envelope or package addressed to the person(s) at the address(es) below and placed it for mailing following the firm's ordinary business practice. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on the same day with postage or fees thereon fully prepaid in the ordinary course of business.

Edward Megual Jackson
1133 Los Robles Blvd.
Sacramento, CA 95838-4428

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on July 13, 2018 at San Francisco, California.



Charisse Goodman

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