

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATION BOARD**

**LA TOURAINÉ LLC d/b/a
SOFITEL CHICAGO MAGNIFICENT
MILE**

CHARGING PARTY

AND

UNITE HERE Local 1

RESPONDENT

Case: 13-CA-236423

**DECLARATION OF DAVID L. BARBER
IN SUPPORT OF OPPOSITION TO
RESPONDENT'S "UNOPPOSED"
MOTION TO ALLOW LATE FILING OF
EXCEPTIONS BRIEF**

I, David L. Barber, hereby declare:

1. I am an attorney for UNITE HERE Local 1. My firm has represented Local 1 for many years.

2. For case number 13-CA-236423, I am listed as the legal representative of the Charging Party, Local 1, in the NLRB's internal database. On December 30, 2019, I accessed the case listing on the NLRB's website, and that listing accurately shows my name and contact information. A true and correct copy of the first page of that listing is attached hereto as Exhibit A.

3. I have received service of various papers filed in the case, including service via email from counsel for Respondent. Attached hereto as Exhibit B is a true and correct copy of email service from Respondent's counsel of Respondent's request for an extension of time to file exceptions, which was sent to me at my correct email address on November 25, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 30, 2019 at San Francisco, California.



David L. Barber

EXHIBIT A

[Search Tools](#)
[Home](#) » [Cases & Decisions](#) » [Cases](#) » [Case Search](#)

La Touraine LLC d/b/a Sofitel Chicago Magnificent Mile

Case Number: 13-CA-236423

Date Filed: 02/21/2019

Status: Open

Location: Chicago, IL

Region Assigned: Region 13, Chicago, Illinois

Docket Activity

<u>Date</u> ▼	<u>Document</u>	<u>Issued/Filed By</u>
11/26/2019	ES Office EOT Response	NLRB - Board
11/15/2019	Order Transferring Proceeding to the Board	NLRB - Board
11/15/2019	Administrative Law Judges Decision	NLRB - ALJ
10/18/2019	Post-Hearing Brief to ALJ*	Charged Party / Respondent
10/18/2019	Post-Hearing Brief to ALJ	Charged Party / Respondent
10/18/2019	Post-Hearing Brief to ALJ	Counsel for GC / Region
08/19/2019	Answer to Complaint*	Charged Party / Respondent
05/23/2019	Answer to Complaint*	Charged Party / Respondent
05/09/2019	Complaint and Notice of Hearing*	NLRB - GC
02/22/2019	Initial Letter to Charged Party*	NLRB - GC

1 2 [next >](#) [last »](#)

The Docket Activity list does not reflect all actions in this case.

* This document may require redactions before it can be viewed. To obtain a copy, please file a request through our [FOIA Branch](#).

Allegations

- 8(a)(3) Changes in Terms and Conditions of Employment
- 8(a)(1) Coercive Statements (Threats, Promises of Benefits, etc.)

Participants

<u>Participant</u>	<u>Address</u>	<u>Phone</u>
Charged Party / Respondent <i>Legal Representative</i> ARCH STOKES STOKES WAGNER	One Atlantic Center, 1201 W. Peachtree St, Suite 2400 Atlanta, GA 30309	(404)766-0076
Charging Party <i>Legal Representative</i> David Barber McCracken, Stemerma & Holsberry, LLP	595 Market St Ste 800 San Francisco, CA 94105-2813	(415)597-7200
Charged Party / Respondent <i>Legal Representative</i> Karl Terrell STOKES WAGNER	One Atlantic Center 1201 W PEACHTREE ST, STE 2400 ATLANTA, GA 30309-3449	(404)766-0076
Charged Party / Respondent <i>Legal Representative</i> Thomas Posey Reed Smith LLP	311 S Wacker Dr Ste 4300 Chicago, IL 60606-6655	(312)207-2893
Charging Party <i>Union</i> UNITE HERE Local 1	218 S Wabash Ave Fl 7 Chicago, IL 60604-2449	(312)663-4373
Charged Party / Respondent <i>Employer</i> La Touraine LLC DBA Sofitel Chicago Magnificent Mile	20 E. Chestnut Street Chicago, IL 60611	

[Sign up for NLRB Updates](#)

News

[Board Restores Longstanding
Arbitral Deferral Standards](#)
December 23, 2019

[Board Restores Employers' Right to
Restrict Use of Email](#)
December 17, 2019

[Board Approves Greater
Confidentiality in Workplace
Investigations](#)
December 17, 2019

[Board Restores Longstanding Union
Dues Checkoff Rule](#)
December 16, 2019

[NLRB Announces Modifications to
Representation Case Procedures](#)
December 13, 2019



[Site Map](#) | [Policies](#) | [OpenGov](#) | [USA.gov](#) | [FOIA](#) | [Privacy](#) | [No Fear Act](#)

ABOUT

[Rights We Protect](#)
[Who We Are](#)
[What We Do](#)

RESOURCES

[Inspector General](#)
[Fact Sheets](#)
[Forms](#)
[Related Agencies](#)
[E-file via FOIAOnline](#)
[Accessibility](#)
[Employee Rights Poster](#)

OTHER

[Site Feedback](#)
[FAQ](#)
[Contact Us](#)

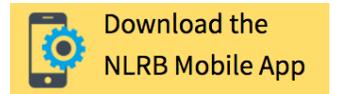


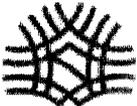
EXHIBIT B

David Barber

From: Felicia M. Brogden <fbrogden@stokeswagner.com>
Sent: Monday, November 25, 2019 1:12 PM
To: kevin.mccormick@NLRB.gov; geoffrey.carter@nlrb.gov; David Barber; mfeldman@unitehere.org
Cc: Karl M. Terrell
Subject: La Touraine d/b/a Sofitel 13-CA-236423 - Request for an Extension to file Exceptions Brief
Attachments: 2019.11.25-Mtn.for.Extension(Sofitel).pdf

Attached is the e-filing confirmation of the Request for an Extension of time to file the Exceptions Brief. We used the "Extension of Time Request" form which can be found on the NLRB website.

Thank you

	<p>Felicia Brogden Paralegal (O) 404.766.0076 (D) 404.766.2269 (C) 404.281.6844 Stokes Wagner <small>[SEP]</small> One Atlantic Center, Suite 2400 <small>[SEP]</small> 1201 West Peachtree Street NW Atlanta, GA 30309</p>
------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Privileged Communication: This e-mail message and all attachments transmitted are legally privileged and confidential, and are intended only for the individual or entity to whom it is directed. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone (404.766.0076) or by e-mail and delete this message and all copies and backups thereof. Thank you.