

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 12**

MIAMI NEW TIMES, LLC)	
)	
and)	Case 12-RC-255122
)	
THE NEWSGUILD-CWA)	
)	

MOTION FOR POSTPONEMENT OF HEARING

Miami New Times, LLC (the “Employer”), by counsel, pursuant to NLRB Rules and Regulations §§102.63(a)(1) and (b)(1), files this Motion for Postponement of Hearing.

The hearing in this matter was originally scheduled for Monday, February 3, 2020. As stated in the Employer’s January 27, 2020 Motion for Postponement of Hearing, the Employer is owned by Voice Media Group (VMG) with corporate offices in Denver. On January 22, 2020, the NewsGuild-CWA served a petition for an election on the Phoenix New Times, which is also owned by VMG. Upon motion for postponement, the hearing in that case was postponed to February 3, 2020. Due to extraordinary circumstances, the Employer requested a postponement in Case 12-RC-255122 to February 10, 2020. The Union did not oppose the Employer’s motion. The Region partially denied the request and scheduled the hearing for February 6, 2020. However, a Region 12 attorney informed the undersigned that the Employer should renew its request for postponement if the Phoenix hearing was expected to last beyond noon on February 5, 2019.

At this time, the Employer renews its request that the hearing be postponed to Monday, February 10, 2020. The hearing in Phoenix started on February 3, 2020, and witnesses testified all day on February 3 and 4, 2020. There are at least six remaining witnesses that will

testify in the Phoenix hearing. Consequently, it is expected that the Phoenix hearing will not end before 5 p.m. MT on February 5, 2020, and there is a possibility that the hearing will not end until February 6, 2020.

As stated in the Employer's January 27, 2020 motion, VMG's executive editor is the Employer's key witness and she is in Phoenix serving as the Phoenix New Times' representative. The executive editor's assistance is key at both hearings for several reasons. In Phoenix, the editor-in-chief and top manager was hired less than a month ago. In Miami, there is an interim editor-in-chief that does not live in Miami. Therefore, VMG's executive editor is instrumental at both hearings. Further, the undersigned is lead counsel at both hearings.

The issues for hearing are identical to the issues being presented in Phoenix. Thus, the Miami hearing is expected to last approximately three days. The executive editor and counsel cannot be expected to travel to Miami in time for the start of the February 6, 2020 hearing given that the Phoenix hearing is ongoing and is expected to end, at the earliest, after 5 p.m. MT on February 5, 2020. Additionally, it would be extremely prejudicial to the Employer to start a hearing in Miami on Friday, February 6, 2020, given the time it takes to travel from Phoenix to Miami, that the Miami hearing is expected to last at least three days, and the time it takes to prepare for two hearings at the same time.

For all the foregoing reasons, the Employer requests that Region 12 postpone the hearing in this matter to Monday, February 10, 2020.

Respectfully submitted,

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By: _____

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CERTIFICATE OF SERVICE

I certify that, on February 5, 2020, a copy of the foregoing was served via electronic mail upon the following:

Stephanie Basile – sbasile@cwa-union.org



Rebekah Ramirez
Counsel for Miami New Times, LLC