



United States Government

**NATIONAL LABOR RELATIONS BOARD**  
**1015 HALF STREET, SE**  
**WASHINGTON, DC 20570**

May 28, 2020

Joseph Bornong  
Counsel for the General Counsel  
National Labor Relations Board, Region 18  
Federal Office Building  
212 Third Avenue South, Suite 200  
Minneapolis, MN 55401-2657

**Re: United Pulse Trading d/b/a AGT Foods**  
Case 18-CA-242003

Dear Mr. Bornong:

It has come to this Office's attention that Counsel for the General Counsel's Answering Brief to Respondent's Cross-Exceptions, together with Counsel for the General Counsel's Motion to Extend Time for Answering Brief to Respondent's Cross-Exceptions, in the subject case were filed with the Board on May 27, 2020, more than 14 days after the last date on which cross-exceptions were due.<sup>1</sup> Accordingly, Counsel for the General Counsel's motion is denied as untimely and the answering brief will not be forwarded to the Board for consideration.

Section 102.2(d) of the Board's Rules and Regulations allows for parties to file documents within a reasonable time after the due date only upon good cause shown based on excusable neglect and when no undue prejudice would result. "A party seeking to file such documents beyond the time prescribed by these Rules must file, along with the document, a motion that states the grounds relied on for requesting permission to file untimely. The specific facts relied on to support the motion must be set forth in affidavit form and sworn to by individuals with personal knowledge of the facts." In order for the Board to consider an untimely-filed answering brief, you must follow the prescribed method outlined in Section 102.2(d), which requires a sworn affidavit by individuals with personal knowledge of the facts.

Very truly yours,

/s/ Mark G. Eskenazi  
Associate Executive Secretary

cc: Parties

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<sup>1</sup> See Sec. 102.46(d) of the Board's Rules and Regulations.