

September 4, 2020

Via Electronic Filing

Jill H. Coffman
Regional Director
National Labor Relations Board
Region 20 – San Francisco
901 Market Street, Suite 400
San Francisco, CA 94103-1735

Re: Z & Y Restaurant and Chinese Progressive Association
Case No. 20-CA-250186

Dear Director Coffman:

As discussed with National Labor Relations Board Field Attorney Jason Wong, we write on behalf of both Claimant Chinese Progressive Association and Respondent Z & Y Restaurant to jointly request a continuance of the hearing in the above-listed matter currently set for October 19, 2020.

The hearing in this matter was set by an Order dated June 23, 2020. Since that time, Z & Y Restaurant has secured new counsel and the parties have continued discussions regarding a global settlement of the claims in this case, as well as those at issue in the wage citations issues by the California Labor Commissioner's Office, related retaliation claims being investigated by the California Labor Commissioner's Office, and claims related to alleged unlawful conduct regarding employee gratuities.

The parties have now agreed to a global mediation of these claims and all related disputes and have reserved a mediation date of **October 20, 2020**, with mediator Mark Rudy (of Rudy, Exelrod, Zieff & Lowe). This reservation was the result of several discussions among the parties and including Miles Locker from the California Labor Commissioner's Office (copied here). The parties and Mr. Locker sought to find the earliest date possible for an agreed-upon mediator with significant experience with the issues involved in these related disputes. The parties are hopeful that this matter will be resolved during the scheduled mediation. Mr. Wong has informed us that he plans to participate in the mediation, and we are hopeful that the NLRB will have no issue with approving a settlement the parties reach factoring in his guidance. Mr. Locker has confirmed that the California Labor Commissioner's Office approves of the parties' decision to mediate with Mr. Rudy on October 20, 2020.

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Should the mediation result in an approved settlement, there would no longer be a need for the scheduled hearing. However, given the possibility the parties may not reach such a settlement, based on the above, the parties jointly request that the Board hearing be continued to **November 30, 2020**. If that week were not available, the parties could also be available for the Board hearing the weeks of December 7, 2020 or December 14, 2020.

Please advise if you need any additional information with regard to this joint request.
Thank you.

Very truly yours,

ASIAN AMERICANS ADVANCING JUSTICE –
ASIAN LAW CAUCUS



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cc: Miles E. Locker, Labor Commissioner's Office – Legal Section
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