

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 9

AWP, INC.

and

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL UNION 978

Cases 06-CA-252223
06-CA-253068
06-CA-253078
06-RC-252844

RESPONSE TO RESPONDENT'S MOTION TO RESCHEDULE HEARING

This memorandum sets forth Counsel for the General Counsel's position in regard to Respondent's Motion to Reschedule Hearing, filed on October 5, 2020. Given substantial progress toward settlement of this matter, Counsel for the General Counsel does not oppose rescheduling the hearing of this matter so that presentation of witnesses would begin on October 26, 2020 rather than October 19, 2020, as presently scheduled. Further, Counsel for the General Counsel agrees with Respondent's proposal for a status call on October 19, 2020.

Given that Counsel for the General Counsel has issued an extensive subpoena duces tecum in this matter, which Respondent has petitioned to revoke, Counsel for the General Counsel proposes that Judge Goldman open the record on October 19, 2020 for purposes of ruling on the petition to revoke and ordering production of subpoenaed documents at that time. This will enable the parties to review subpoenaed documents the week of October 19, 2020 and avoid additional delay.

Counsel for the General Counsel has spoken to Charging Party IBEW Local 978, which agrees with the above position.

Dated: October 6, 2020

/s/ Jonathan D. Duffey

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CERTIFICATE OF SERVICE

October 6, 2020

I hereby certify that I served the foregoing document on this date by electronic mail to the following at the addresses listed below:

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