

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of:	)	Case Nos: 2010 RD-004-SAL
	)	2010-CE-050-SAL
D'ARRIGO BROS. CO. OF CALIFORNIA,	)	
A California Corporation,	)	ORDER DENYING
	)	APPLICATION FOR SPECIAL
Employer,	)	PERMISSION FOR INTERIM
	)	APPEAL
and	)	
	)	
ALVARO SANTOS,	)	Admin. Order 2011-18
	)	
Petitioner,	)	
	)	
and	)	
	)	
UNITED FARM WORKERS OF	)	
AMERICA,	)	
	)	
Certified Bargaining Representative.)	)	
_____	)	

On September 8, 2011, pursuant to the Board's regulations,<sup>1</sup> the General Counsel filed an application for special permission for an interim appeal of a ruling by the Administrative Law Judge (ALJ) in the above-entitled case. On the last day of hearing, the General Counsel requested a two-day continuance in order to prepare and present oral argument. The ALJ denied the request, ruling that any oral argument must take place that afternoon, directly after the close of evidence in the hearing. In the application, the General Counsel asks for a continuance until September 14, 2011. The Employer, D'Arrigo Bros. Co. of California, filed an opposition to the request for an interim appeal.

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<sup>1</sup> See Cal. Code Regs., tit. 8, § 20242.

PLEASE TAKE NOTICE that the application for special permission for an interim appeal is hereby DENIED. Pursuant to California Code of Regulations, Title 8, section 20277, in order to present closing oral argument as a matter of right parties must be prepared to do so at the close of the taking of testimony. The ALJ's denial of the request for a continuance did not constitute an abuse of discretion.

By Direction of the Board

Dated: September 12, 2011

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J. ANTONIO BARBOSA  
Executive Secretary, ALRB