

1 Matthew D. Ross (SBN 84703)
Christine S. Hwang (184549)
2 LEONARD, CARDER, LLP
1330 Broadway, Suite 1450
3 Oakland, CA 94612
Tel: (510) 272-0169
4 Fax: (510) 272-0174

5 Attorneys for Plaintiffs

6

7

8

UNITED STATES DISTRICT COURT

9

FOR THE NORTHERN DISTRICT OF CALIFORNIA

10

UNITE HERE LOCAL 2; SAN MATEO HOTEL
11 EMPLOYEES & RESTAURANT EMPLOYEES
WELFARE FUND; SAN MATEO HOTEL
12 EMPLOYEES & RESTAURANT EMPLOYEES
PENSION FUND; SHERRI CHIESA, JAMES
13 BEARD, HAL BOBROW, MIKE CASEY, THO
DO, and RICHARD ROMANSKI, Trustees of the
14 San Mateo Hotel Employees & Restaurant
Employees Welfare and Pension Funds,

15 Plaintiffs,

16 v.

17 SFO GOOD-NITE INN, LLC, a California
18 limited liability company; ERIC YOKENO, an
individual; and BANG JA KIM, an individual,

19 Defendants.
20
21

Case No. C07-02588 BZ

**NOTICE OF MOTION AND
MOTION FOR ADMINISTRATIVE
RELIEF TO CONSIDER
WHETHER CASES SHOULD BE
RELATED**

22

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

23

Pursuant to Northern District to Civil Local Rules 3-12 and 7-11(a), Plaintiffs UNITE
24 HERE LOCAL 2 (“Union”); SAN MATEO HOTEL EMPLOYEES & RESTAURANT
25 EMPLOYEES WELFARE FUND; SAN MATEO HOTEL EMPLOYEES & RESTAURANT
26 EMPLOYEES PENSION FUND (together, “Trust Funds”) SHERRI CHIESA, JAMES BEARD,
27 HAL BOBROW, MIKE CASEY, THO DO, and RICHARD ROMANSKI, Trustees of the San
28 Mateo Hotel Employees & Restaurant Employees Welfare and Pension Funds (“Trustees”) hereby give notice to all counsel of record of their Motion for Administrative Relief to Consider

1 Whether Cases Should Be Related.

2 By way of the Administrative Motion, Plaintiffs request that this Court consider whether
3 this case number C07-02588 BZ should be related and referred to Judge Martin J. Jenkins who is
4 currently presiding over case number C06-07335 MJJ, a separate action which was filed in the
5 United States District Court, Northern District of California against Defendant SFO GOOD-
6 NITE INN, LLC, on November 28, 2006 by the National Labor Relations Board Regional
7 Director of Region 20, Joseph Norelli, under Section 10(j) of the National Labor Relations Act
8 [61 Stat. 149; 73 Stat. 544; 29 U.S.C. § 160 (j)]. The case currently pending before the
9 Honorable Jenkins involves a petition seeking injunctive relief pending final disposition of the
10 Complaint and Notice of Hearing issued by the Nation Labor Relations Board against Defendant
11 for engaging in unfair labor practices in violation of 8(a)(1), (3) and (5) of the National Labor
12 Relations Act. (See attached Petition at Exhibit A.)

13 In support of their Administrative Motion, Plaintiffs file concurrently herewith their
14 [Proposed] Order to Consider Whether Cases Should Be Related and a Stipulation Regarding
15 Administrative Motion to Consider Whether Cases Should Be Related.

16

17 Dated: August 1, 2007

Respectfully,
LEONARD CARDER, LLP

18

19

By: /s/ Christine S. Hwang
Matthew D. Ross
Christine S. Hwang
Attorneys for Plaintiffs

20

21

22

23

24

25

26

27

28