



National Association of Government Employees

AFFILIATED WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION

October 8, 2008

William G. Hayward, Esq.
27 Temple Street
Boston, MA 02114

Re: NAGE and Trial Court – Fact Finding
Case No. PS-023-2008


Dear Mr. Hayward:

On October 6, 2008, Paul Edgar, the Trial Court's Director of Human Resources sent to the undersigned a letter advising NAGE that it was rescinding certain aspects of its economic offer to the Union that were certified in the Trial Court's position statement prior to the commencement of fact finding in the above-captioned matter. Mr. Edgar's letter also indicated that he sent a copy of the letter to you.

NAGE requests that you, as fact finder in the above-captioned matter, ignore the letter to NAGE from Mr. Edgar. The hearings in the matter of fact finding between NAGE and the Trial Court closed on July 11, 2008. At that point in time the record in this matter was closed. No evidence submitted after that date can be given any probative weight. Any assertions made by the Trial Court concerning alleged changes in economic circumstances are simply unsubstantiated assertions that are unsupported by the record in this matter.

On behalf of NAGE, I request that you make your recommendations in the above-captioned matter based solely on the record and give no probative weight to the unsubstantiated assertions of the Trial Court made well after the record was closed.

Sincerely,


Richard H. Anderson, Jr.
Chief Negotiator

cc: Jean Driscoll
Paul Edgar