

# ALSTON & BIRD LLP

One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3424

404-881-7000  
Fax: 404-881-7777  
www.alston.com

Charles H. Morgan

Direct Dial: 404-881-7187

E-mail: charlie.morgan@alston.com

December 9, 2008

**VIA FACSIMILE – (202) 606-5409  
and U.S. First Class Mail**

The Honorable Dennis L. Phillips  
Occupational Safety and Health Review Commission  
One Lafayette Center  
1120 20th Street, NW - 9th Floor  
Washington, DC 20036-3419

Re: *Secretary of Labor v. Imperial-Savannah, L.P. et al*, OSHRC Docket No.  
08-1104

Dear Judge Phillips:

Enclosed are an original and one copy of Respondent's Objection to Complainant's Motion for Extension of Time to Serve Answers and Objections to Respondent's First Interrogatories and First Request for Production of Documents. I would appreciate it if you would have your office stamp the copy as received and return it to me in the enclosed, self-addressed stamped envelope. We have served a copy of this Objection on counsel for Complainant. Thank you.

Sincerely,



Charles H. Morgan

CHM:chm

cc: Sharon D. Calhoun, Esq. (w/encl. via facsimile)  
Karen E. Mock, Esq. (w/encl. via facsimile)  
Christopher D. Helms, Esq. (w/encl. via facsimile)  
Matthew J. Gilligan, Esq.

LEGAL02/31058770v1

UNITED STATES OF AMERICA  
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 IMPERIAL SUGAR COMPANY; )  
 IMPERIAL-SAVANNAH, L.P. )  
 )  
 Respondents. )  
 \_\_\_\_\_ )

Docket No. 08-1104

**RESPONDENT'S OBJECTION TO COMPLAINANT'S MOTION FOR EXTENSION OF TIME TO SERVE ANSWERS AND OBJECTIONS TO RESPONDENT'S FIRST INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Respondent Imperial-Savannah, L.P. respectfully objects to Complainant's request for thirty (30) additional days in which to respond to Respondent's discovery requests. By Order dated September 3, 2008, Complainant has already been afforded an additional thirty (30) days in which to file her Complaint, to which Respondent did not object based on Complainant's request that Complainant's counsel needed additional time in which to receive and review the file in this matter. Respondent objects to Complainant's request for an additional thirty (30) days based on Respondent's concern that the such additional time will prejudice Respondent's ability to complete discovery in a timely fashion.

Respectfully submitted, this 9th day of December, 2008.



Charles H. Morgan  
charlie.morgan@alston.com  
Matthew J. Gilligan  
matt.gilligan@alston.com  
Jeremy D. Tucker  
jeremy.tucker@alston.com  
ALSTON & BIRD LLP  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3424  
(404) 881-7000  
FAX: (404) 253-8757

Attorneys for Respondents

UNITED STATES OF AMERICA  
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

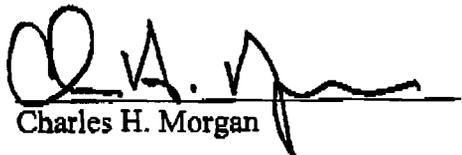
SECRETARY OF LABOR,	)	
	)	
Complainant,	)	Docket No. 08-1104
	)	
v.	)	
	)	
IMPERIAL SUGAR COMPANY;	)	
IMPERIAL-SAVANNAH, L.P.	)	
	)	
	)	
Respondents.	)	
	)	

**CERTIFICATE OF SERVICE**

This is to certify that I have this date served a copy of the within and foregoing  
RESPONDENT'S OBJECTION TO COMPLAINANT'S MOTION FOR EXTENSION OF  
TIME TO SERVE ANSWERS AND OBJECTIONS TO RESPONDENT'S FIRST  
INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS by  
facsimile and certified U.S. Mail, return receipt requested with adequate postage affixed thereon,  
addressed as follows:

Sharon D. Calhoun, Esq.  
Karen E. Mock, Esq.  
Christopher D. Helms, Esq.  
Office of the Solicitor  
U.S. Department of Labor  
61 Forsyth Street S.W.  
Room 7T10  
Atlanta, Georgia 30303

This 9th day of December, 2008.

  
Charles H. Morgan

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

# ALSTON & BIRD LLP

One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3424  
404-881-7000  
Fax: 404-881-7777

## TELECOPY

PLEASE DELIVER AS SOON AS POSSIBLE

Date:

December 9, 2008

Recipient:

The Honorable Dennis L. Phillips

Company:

Occupational Safety and Health  
Review Commission

Fax Number:

(202) 606-5409

Voice Number:

(202) 606-5405

Sender:

Charles H. Morgan

Message:

Number of Pages: (including cover page)

**IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT .**

USER CODE: MORGC	REQUESTED BY: Charles H. Morgan
CLIENT/MATTER: 042407/340647	OPERATOR: