

decision in 00198 is binding in some way in this case. We do not find 00198 to be binding as the Claimant did not have an identity of interest with the claimants in 00198. See generally Taylor v. Sturgell, 553 U.S. ___ (June 12, 2008)(Discussing doctrine and holding identical FOIA suit by acquaintance of first requester not barred). Instead we find the reasoning in 00198 persuasive, that is, that for the week in question the Claimant was unemployed due to a stoppage of work that existed due to a labor dispute. This being the case the Claimant is disqualified for that week under Iowa Code §96.5(4). We reach this decision, however, only based on the record in this case and in accord with the analysis as set out by Administrative Law Judge Wise.

John A. Peno

Elizabeth L. Seiser

Monique Kuester

RRA/fnv