UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMPCOR II, INC.

and Case 25-CA-31472 Amended

CARPENTERS LOCAL 3056, a/w
CARPENTERS INDUSTRIAL COUNCIL,
MIDWEST REGION

ACTING GENERAL COUNSEL'S MOTION
FOR DEFAULT JUDGMENT

Comes now counsel for the Acting General Counsel and, pursuant to Sections 102.24 and 102.50 of the Rules and Regulations of the National Labor Relations Board, moves that default judgment be granted in the above-captioned case. As grounds therefore, the Acting General Counsel states that:

1. On May 7, 2010, Carpenters Local 3056, a/w Carpenters Industrial Council, Midwest Region (the "Union") filed an unfair labor practice charge in Case 25-CA-31472 Amended, and a copy was served by mail upon Ampcor II, Inc. (the "Respondent") on May 7, 2010.[1]

2. On July 23, 2010, the Union filed an amended unfair labor practice charge in Case 25-CA-31472 Amended, and a copy was served by mail upon Respondent on July 23, 2010.[2]

[1] Copies of the original charge in Case 25-CA-31472 Amended and the affidavit of service thereof are attached hereto as Exhibits 1 and 2, respectively.

[2] Copies of the amended charge in Case 25-CA-31472 Amended and the affidavit of service thereof are attached hereto as Exhibits 3 and 4, respectively.

3. On August 27, 2010, a Complaint and Notice of Hearing was issued by the Regional Director of Region Twenty-five in Case 25-CA-31472 Amended.[3] No hearing date was actually set by the Notice of Hearing.

4. Section 102.20 of the Rules and Regulations provides in relevant part that "The respondent shall, within 14 days from the service of the complaint, file an answer thereto. . . .All allegations in the complaint, if no answer is filed . . . shall be deemed to be admitted to be true and shall be so found by the Board, unless good cause to the contrary is shown."

5. To date Respondent has not filed an answer to the aforementioned Complaint and Notice of Hearing.

6. According to the U.S. Postal Service Track & Confirm website, the Region's service of the Complaint and Notice of Hearing was first refused by Respondent on September 13, 2010.[4]

7. On September 17, 2010, the undersigned sent a letter to Respondent advising it of the necessity of filing an answer and the consequences of failing to do so.[5] Mark Phillips, the attorney who represented Respondent during the investigation of the unfair labor practice charge, responded to this letter by e-mail on September 21, indicating that Respondent was out of business and he could "think of no reason for AMPCOR II to challenge or oppose the current charges."[6]

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[3] Copies of the Complaint and Notice of Hearing and the affidavit of service thereof are attached hereto as Exhibits 5 and 6, respectively.

[4] A copy of the e-mail results from the Track & Confirm website is attached hereto as Exhibit 7.

[5] A copy of this letter (without enclosures) is attached hereto as Exhibit 8.

[6] A copy of Phillips's September 17 e-mail is attached hereto as Exhibit 9.

WHEREFORE, counsel for the Acting General Counsel prays that all allegations in the Complaint and Notice of Hearing issued in the above-captioned case be found to be true; that default judgment be granted in the above-captioned case; that an Order with an appropriate remedy be issued based upon the pleadings in the above-captioned case; and that such other relief be granted as the Board deems just and proper.

DATED at Indianapolis, Indiana, this 26th day of October 2010.

Respectfully submitted,

Derek A. Johnson
Counsel for the Acting General Counsel
National Labor Relations Board
Region Twenty-Five
Minton-Capehart Federal Building, Room 238
575 North Pennsylvania Street
Indianapolis, Indiana 46204
Phone: (317) 226-7386
Fax: (317) 226-5103
E-mail: derek.johnson@nlrb.gov

H:\25 C Cases\25-CA-031472 - Ampcor II, Inc\Board Decision\MSJ.25-CA-31472.Default 1.doc

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Acting General Counsel's Motion for Default Judgment has been filed electronically through the Board's E-Filing Program this 26th day of October 2010. Copies of said filing are being served upon the following persons by electronic mail or overnight, private delivery service, where e-mail addresses were not available:

David R. Christian
Ampcor II, Inc.
105 Koomler Drive
LaPorte, IN 46350

Mark L. Phillips
Newby, Lewis, Kaminski & Jones
916 Lincolnway
LaPorte, IN 46350
Fax: (219) 362-2106
e-mail: mlphillips@nlkj.com

Jerry Crane
Carpenters Local 3056
170 North Hyland
Scottsburg, IN 47170
e-mail: cranjer@cs.com

Derek A. Johnson

FORM EXEMPT UNDER 44 U S C 3512

INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 25-CA-31472	Date Filed 5/7/10

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer
Ampcor II, Inc.

b. Tel. No. 219-879-6300
c. Cell No. 219-877-5731
f. Fax No. 219-362-2106
g. e-Mail www.nlkj.com
h. Number of workers employed Approximately 45

d. Address *(Street, city, state, and ZIP code)*
105 Koomler Drive, LaPorte, IN 46350
c/o Mark L. Phillips, Newby Lewis Kaminski Jones, LLP, 916 Lincolnway, LaPorte, IN 46350

e. Employer Representative
David R. Christian

i. Type of Establishment *(factory, mine, wholesaler, etc.)*
Factory

j. Identify principal product or service
Casket hardware

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and *(list subsections)* and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge *(set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)*
Since the Employer closed and laid off all employees on January 14, 2010, it has failed and refused to engage in good faith effects bargaining with the Union representing its employees by, among other things, providing inadequate and incomplete information to the Union in response to questions relating to that closure, and refusing to meet at reasonable times and places with Union representatives to discuss the effects on employees of that closure.

3. Full name of party filing charge *(If labor organization, give full name, including local name and number)*
Carpenters Local 3056, affiliated with Carpenters Industrial Council, Midwest Region

4a. Address *(Street and number, city, state, and ZIP code)*
404 N. Main St., Ste. 103
Oshkosh, Wisconsin 54901-4953

4b. Tel. No. 920-426-2700
4c. Cell No
4d. Fax No. 920-426-2727
4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit *(to be filled in when charge is filed by a labor organization)*
United Brotherhood of Carpenters & Joiners of America

6. DECLARATION
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Jerry Crane *(signature of representative or person making charge)*
Jerry Crane *(Print/type name and title or office, if any)*
Address 170 N. Hyland, Scottsburg, IN 47170
~~03/27/10~~ 5/7/10 *(date)*

Tel. No
Office, if any, Cell No. 920-420-5156
Fax No
e-Mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Exhibit 1

NATIONAL LABOR RELATIONS BOARD
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMPCOR II, INC.	Case: 25-CA-31472

DATE OF MAILING: May 7, 2010

AFFIDAVIT OF SERVICE OF: INITIAL CHARGE LETTER WITH ENCLOSURES

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) upon the following person(s), addressed to them at the following addresses by United States mail postage prepaid:

Jerry Crane
Carpenters Local 3056
170 N. Hyland
Scottsburg, IN 47170

Mr. Paul T. Berkowitz, Attorney
Paul T. Berkowitz & Assoc., Ltd.
Suite 600
123 West Madison Street
Chicago, IL 60602

Ampcor II, Inc.
C/o Marl L. Phillips, Esquire
Newby Lewis Kaminski Jones, LLP
916 Lincolnway
LaPorte, IN 46350

David Christian
Ampcor II, Inc.
105 Koomler Drive
LaPorte, IN 46350

Subscribed and sworn before me **this 7th day of May, 2010.**	Alicia M. Young **DESIGNATED AGENT** Vija Gullett **NATIONAL LABOR RELATIONS BOARD**

Exhibit 2

FORM EXEMPT UNDER 44 U.S.C 3512

INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case	Date Filed
25-CA-31472 Amended	7/23/10

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer
Ampcor II, Inc.

b. Tel. No. 219-879-6300
c. Cell No. 219-877-5737
f. Fax No. 219-362-2108
g. e-Mail www.nlkj.com
h. Number of workers employed 45

d. Address *(Street, city, state, and ZIP code)*
105 Koomier Drive
LaPorte, IN 46350

e. Employer Representative
David R. Christian

i. Type of Establishment *(factory, mine, wholesaler, etc.)*
factory

j. Identify principal product or service
casket hardware

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and *(list subsections)* (5), and 8(d) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge *(set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)*

Since about January 14, 2010, the Employer, by its officers, agents, and representatives, failed to give the Union timely notice of closure and failed to afford the Union an adequate opportunity to bargain over the effects of the closing.
Since about February 18, 2010, the Employer, by its officers, agents, and representatives, failed and refused to provide relevant information pertaining to bargaining unit employees about money owed based on days worked, vacation pay, and deduction for insurance and Union dues.
Since about April 19, 2010, the Employer, by its officers, agents, and representatives, repudiated the grievance-arbitration provision of the collective bargaining agreement.
Within the last six months, the above-named Employer has interfered with, restrained, and coerced employees in the exercise of rights guaranteed by Section 7 of the Act.

3. Full name of party filing charge *(if labor organization, give full name, including local name and number)*
Carpenters Local 3056, affiliated with Carpenters Industrial Council, Midwest Region

4a. Address *(Street and number, city, state, and ZIP code)*
404 N. Main St., Suite 103
Oshkosh, Wisconsin 54901-4953

4b. Tel. No. 920-426-2700
4c. Cell No.
4d. Fax No. 920-426-2727
4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit *(to be filled in when charge is filed by a labor organization)* United Brotherhood of Carpenters & Joiners of America

6. DECLARATION
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Jerry W Crane *(signature of representative or person making charge)*
Jerry Crane, union representative *(Print/type name and title or office, if any)*

Address 170 N. Hyland, Scottsburg, IN 47170

7/23/10 *(date)*

Tel. No.
Office, if any, Cell No. 920-420-5156
Fax No.
e-Mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Exhibit 3

NATIONAL LABOR RELATIONS BOARD
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMPCOR II, INC.	Case: 25-CA-31472 AMENDED

DATE OF MAILING: July 23, 2010

AFFIDAVIT OF SERVICE OF: INITIALAMENDED CHARGE LETTER WITH ENCLOSURE

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) upon the following person(s), addressed to them at the following addresses by United States mail postage prepaid:

Jerry Crane
Carpenters Local 3056, affiliated with
Carpenters Industrial Council, Midwest Region
170 N. Hyland
Scottsburg, IN 47170

Mr. David R. Christian
Ampco II, Inc.
105 Koomler Drive
LaPorte, IN 46350

Mr. Mark L. Phillips, Esq., Attorney
Newby, Lewis, Kaminski & Jones
916 Lincolnway
LaPorte, IN 46350

Subscribed and sworn before me **this 23rd day of July, 2010.**	**DESIGNATED AGENT** **NATIONAL LABOR RELATIONS BOARD**

Exhibit 4

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION TWENTY-FIVE

AMPCOR II, INC.

and Case 25-CA-31472 Amended

CARPENTERS LOCAL 3056, a/w
CARPENTERS INDUSTRIAL COUNCIL,
MIDWEST REGION

COMPLAINT AND NOTICE OF HEARING

Carpenters Local 3056, a/w Carpenters Industrial Council, Midwest Region, herein called the Union, has charged that Ampcor II, Inc., herein called Respondent, has been engaging in unfair labor practices as set forth in the National Labor Relations Act, 29 U.S.C. Sec. 151 et seq., herein called the Act. Based thereon the Acting General Counsel, by the undersigned, pursuant to Section 10(b) of the Act and Section 102.15 of the Rules and Regulations of the National Labor Relations Board, herein called the Board, issues this Complaint and Notice of Hearing and alleges as follows:

1. (a) The charge in Case 25-CA-31472 amended was filed by the Union on May 7, 2010, and a copy was served by mail on Respondent on May 7, 2010.

(b) The first amended charge in Case 25-CA-31472 amended was filed by the Union on July 23, 2010, and a copy was served by mail on Respondent on July 23, 2010.

2. (a) At all material times Respondent, a corporation with an office and a place of business in LaPorte, Indiana, herein called Respondent's facility, has been engaged in the manufacturing of casket hardware.

(b) During the 12 month period ending January 14, 2010, Respondent, in conducting its business operations described above in paragraph 2(a), sold and shipped from its LaPorte, Indiana facility goods valued in excess of $50,000 directly from points outside the State of Indiana.

(c) At all material times Respondent has been an employer engaged in commerce with the meaning of Section 2(2), (6), and (7) of the Act.

3. At all material times the Union has been a labor organization within the meaning of Section 2(5) of the Act.

4. At all material times David Christian has held the position of Owner and has been a supervisor of Respondent within the meaning of Section 2(11) of the Act and an agent of Respondent within the meaning of Section 2(13) of the Act.

5. (a) The following employees of Respondent, herein called the Unit, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

> All production and maintenance employees but excluding office employees, clerical employees, guards, janitor-watchmen, professional employees, and supervisors as defined in the Act.

(b) Since an unknown date prior to September 1, 2007, and at all material times, the Union has been the designated exclusive collective-bargaining representative of the Unit and since then the Union have been recognized as the representative by Respondent. This recognition has been embodied in successive collective-bargaining agreements, the most recent of which is effective from September 1, 2007 until August 31, 2011.

(c) At all times since an unknown date prior to September 1, 2007, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

6. (a) About January 14, 2010, Respondent advised the Union of its decision to close Respondent's facility and cease operations on the same date.

(b) On January 14, 2010, Respondent ceased operations at Respondent's facility.

(c) On about January 14, 2010, the Union orally requested that Respondent bargain collectively about the following subject: the effects on Unit employees of the plant closure described in paragraph 6(b).

(d) The subject set forth above in paragraph 6(c) relates to the wages, hours, and other terms and conditions of employment of the Unit and is a mandatory subject for the purpose of collective bargaining.

(e) Since on about January 14, 2010, Respondent has failed and refused to bargain collectively about the subject set forth above in paragraph 6(c).

(f) Respondent engaged in the conduct described above in paragraph 6(b) without affording the Union an opportunity to bargain with Respondent with respect to the effects on Unit employees of the plant closure.

7. (a) Since on or about February 18, 2010, the Union, in writing, has requested that Respondent furnish the Union with the following information:

(i) the amount owed to each employee for the four days worked January 11-14, 2010;

(ii) the amount owed to the employees having insurance deducted from their checks for December 2009 and January 2010;

(iii) the amount owed to each employee for their earned vacation pay as of January 1, 2010; and

(iv) the amount of any Union dues deducted but not paid to the Union for December 2009 or January 2010.

(b) The information requested by the Union, as described above in paragraph 7(a) is necessary for, and relevant to, the Union's performance of its duties as the exclusive collective-bargaining representative of the Unit including its processing of grievances.

(c) Since on or about February 18, 2010, Respondent has failed and refused to furnish the Union with the information requested by the Union as described above in paragraph 7(a).

8. (a) On about March 29, 2010 and April 2, 2010, the Union submitted grievances to Respondent.

(b) About April 19, 2010, Respondent, by letter, informed the Union it would not respond to grievances or demands for arbitration.

(c) Since about April 19, 2010, Respondent has failed to continue in effect all the terms and conditions of the agreement described above in paragraph 5(b) by repudiating the grievance-arbitration provision of the collective bargaining agreement.

(d) Respondent engaged in the conduct described above in paragraph 8(c) without the Union's consent.

(e) The subject set forth above in paragraphs 8(a) and 8(b) relates to the wages, hours, and other terms and conditions of employment of the Unit and is a mandatory subject for the purpose of collective bargaining.

9. By the conduct described above in paragraphs 6(e), 6(f), and 7(c), Respondent has been failing and refusing to bargain collectively with the exclusive collective-bargaining representative of its employees in violation of Section 8(a)(1) and (5) of the Act.

10. By the conduct described above in paragraphs 8(b), 8(c), and 8(d), Respondent has been failing and refusing to bargain collectively with the exclusive collective bargaining representative of its employees within the meaning of Section 8(d) of the Act in violation of Section 8(a)(1) and (5) of the Act.

11. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

WHEREFORE, as part of the remedy for the unfair labor practices alleged above in paragraphs 6(c) and (d), and in order to make the employees identified in paragraphs 6(c) and 6(d) fully whole for their losses, the Acting General Counsel seeks an order requiring that Respondent make whole the Unit in the manner set forth in *Transmarine Navigation Corp.*, 170 NLRB 389 (1968) and to pay interest, compounded quarterly, on any monetary award.

The Acting General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be received by this office on or before September 10, 2010, or postmarked on or before September 9, 2010. Unless filed electronically in a PDF format, Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically by using the E-Filing system on the Agency's website. In order to file an answer electronically, access the Agency's website at http://www.nlrb.gov, click on E-Gov, then click on the E-Filing link on the pull-down menu. Click on the "File Documents" button under "Regional, Subregional and Resident Offices" and then follow the directions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If an answer being filed electronically is a PDF document containing the required signature, no paper copies of the answer needs to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a PDF file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing.

Service of the answer on each of the other parties must still be accomplished in conformance with the requirements of Section 102.114 of the Board's Rules and Regulations.

The answer may not be filed by facsimile transmission. If no answer is filed, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on a date and at a time and place to be determined by subsequent order, and on consecutive days thereafter until concluded, a hearing will be conducted before an Administrative Law Judge of the Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

SIGNED at Indianapolis, Indiana this 27th day of August, 2010.

Rik Lineback
Regional Director
National Labor Relations Board
Region 25
Room 238, Minton-Capehart Building
575 North Pennsylvania Street
Indianapolis, Indiana 46204

Attachments

RL/phm
H.\r25 c cases\25-CA-31472\complaint\CPT.25-CA-31472 Amended.complaint

FORM NLRB-4338
(7-82)

NATIONAL LABOR RELATIONS BOARD
NOTICE

Case No. 25-CA-31472

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end. An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing.

However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

(1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).

(2) Grounds thereafter must be set forth in ***detail;***

(3) Alternative dates for any rescheduled hearing must be given;

(4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; ***and***

(5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

Rik Lineback

Rik Lineback
Regional Director
National Labor Relations Board Region 25

Ampco II, Inc.
105 Doomler Drive
LaPorte, IN 46350

Mark L. Phillips, Esq., Attorney
Newby, Lewis, Kaminski & Jones
916 Lincolnway
LaPorte, IN 46350

Jerry Crane
Carpenters Local 3056, affiliated
with Carpenters Industrial
Council, Midwest Region
170 N. Hyland
Scottsburg, IN 47170

NATIONAL LABOR RELATIONS BOARD
BEFORE THE NATIONAL LABOR RELATIONS BOARD

Ampco II, Inc.	Case: 25-CA-31472

DATE OF MAILING: August 27, 2010

AFFIDAVIT OF SERVICE OF: COMPLAINT AND NOTICE OF HEARING

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) by certified mail and/or by United States mail upon the following person(s), addressed to them at the following addresses:

7009 0960 0000 1228 7997
Ampco II, Inc.
105 Doomler Drive
LaPorte, IN 46350

7009 0960 0000 1228 8000
Jerry Crane
Carpenters Local 3056, affiliated with
Carpenters Industrial Council, Midwest Region
170 N. Hyland
Scottsburg, IN 47170

REGULAR MAIL

Mark L. Phillips, Esq., Attorney
Newby, Lewis, Kaminski & Jones
916 Lincolnway
LaPorte, IN 46350

Subscribed and sworn before me this 27th day of August, 2010	DESIGNATED AGENT NATIONAL LABOR RELATIONS BOARD

Exhibit 6

Johnson, Derek

From: U.S._Postal_Service_ [U.S._Postal_Service@usps.com]
Sent: Tuesday, September 14, 2010 6:45 PM
To: Johnson, Derek
Subject: USPS Shipment Info for 7009 0960 0000 1228 7997

This is a post-only message. Please do not respond.

Track & Confirm e-mail update information provided by the U.S. Postal Service.

Label Number: 7009 0960 0000 1228 7997

Service Type: Certified Mail(TM)

Shipment Activity	Location	Date & Time
Refused	LA PORTE IN 46352	09/14/10 5:18am
Refused	LA PORTE IN 46352	09/13/10 3:32pm
Notice Left	LA PORTE IN 46352	08/30/10 7:02am

Reminder: Track & Confirm by email

Date of email request: 09/14/10

Future activity will continue to be emailed for up to 2 weeks from the Date of Request shown above. If you need to initiate the Track & Confirm by email process again at the end of the 2 weeks, please do so at the USPS Track & Confirm web site at http://www.usps.com/shipping/trackandconfirm.htm

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USPS has not verified the validity of any email addresses submitted via its online Track & Confirm tool.

For more information, or if you have additional questions on Track & Confirm services and features, please visit the Frequently Asked Questions (FAQs) section of our Track & Confirm site at http://www.usps.com/shipping/trackandconfirmfaqs.htm

Exhibit 7

United States Government
NATIONAL LABOR RELATIONS BOARD
Region 25
575 North Pennsylvania Street - Room 238
Indianapolis, IN 46204-1577

phone: (317) 226-7386
fax: (317) 226-5103
derek.johnson@nlrb.gov

September 17, 2010

David R. Christian
Ampcor II, Inc.
105 Koomler Drive
La Porte, IN 46350

David R. Christian
c/o Vocational Rehabilitation Business Outreach
Division of Disability & Rehabilitative Services
Indiana Family & Social Services Administration
402 West Washington Street, Room 453
P.O. Box 7083
Indianapolis, IN 46207-7083

Re: Ampcor II, Inc.
Case 25-CA-31472

Dear Mr. Christian:

This letter is to inform you that this office has not yet received an answer to the Complaint and Notice of Hearing issued on August 27, 2010, in the above-referenced case. Under Section 102.20 of the Rules and Regulations of the National Labor Relations Board (the "Board"), a failure to file an answer can result in the Board finding all of the allegations in the complaint to be true. Therefore, if you intend to file an answer, please be advised that we must have your answer no later than the close of business on **September 24, 2010**. If we do not receive an answer by this date, the Region will have no alternative but to file a Motion for Default Judgment with the Board asking that the Board deem all allegations in the complaint to be admitted.

For your convenience, I have enclosed a copy of the Complaint and Notice of Hearing, as well as a copy of Sections 102.20 and 102.21 of the Board's Rules and Regulations. As stated in Section 102.20, your answer to the complaint should consist of specifically admitting or denying each paragraph of the complaint, unless you are truly without knowledge of the facts alleged in the paragraph, in which case you should so state.

If you have any questions, please do not hesitate to contact me at (317) 226-7386.

Sincerely,

Derek A. Johnson
Field Attorney

Exhibit 8

Johnson, Derek

From: Mark L. Phillips [mlphillips@nlkj.com]
Sent: Tuesday, September 21, 2010 12:46 PM
To: Johnson, Derek
Cc: M. Lynn Stalbrink
Subject: AMPCOR II Case no. 25-CA-31472

Dear Mr. Johnson:

I write in response to the letter you sent to David Christian dated September 17, 2010, in the captioned matter. As I have previously advised both the union and the Board, AMPCOR II is out of business. It has no remaining assets that have not been seized and/or sold by its secured creditors. The company has no employees, no money and owns no real estate. The company no longer has possessory rights in the factory it was leasing on Koomler Drive here in La Porte. It has millions of dollars of debt, including the claims of its former employees for wages and vacation pay.

I can think of no reason for AMPCOR II to challenge or oppose the current charges. Win, lose, or draw, the net effect is the same – AMPCOR II will still be out of business with no money, no employees, and no assets. It seems to me to be a grand waste of taxpayer money to further pursue this defunct organization.

Please call me when you receive this correspondence so we can discuss this matter in greater detail.

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