UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MERCHANTS BUILDING MAINTENANCE, LLC

and **Case 28-CA-22660**

ELIZABETH CASTRO, an Individual

and **Case 28-CA-22282**

AXEL CARMONA, an Individual

ACTING GENERAL COUNSEL'S EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

Counsel for the Acting General Counsel (General Counsel) files the following Exceptions to the Decision (ALJD) of Administrative Law Judge Lana H. Parke (ALJ), [JD(SF) 46-10], issued on November 23, 2010:

1. The ALJ's failure to find and conclude that Respondent violated Section 8(a)(1) of the Act by failing and refusing to consider for rehire or to rehire employee Norma Garcia. (ALD 20-21) In support of this exception, General Counsel relies upon the testimony of Alma De Lara, Norma Garcia, and the documentary evidence introduced at trial.

2. The ALJ's failure to provide a remedy for Norma Garcia (ALJD 20-24) In support of this exception, General Counsel relies upon the testimony and documentary

evidence supporting a finding and conclusion that Respondent failed and refused to consider for hire or to hire employee Norma Garcia.

Dated at Phoenix, Arizona, this 4th day of January 2011

Respectfully submitted,

/s/ William Mabry III

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CERTIFICATE OF SERVICE

I hereby certify that a copy of ACTING GENERAL COUNSEL'S EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE in MERCHANTS BUILDING MAINTENANCE, LLC, Cases 28-CA-22660 et al., was served by E-Gov, E-Filing, E-Mail and Overnight Delivery via United Parcel Service, on this 4th day of January 2011, on the following:

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