UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SAN FRANCISCO DIVISION OF JUDGES

THE NEIMAN MARCUS GROUP, INC.

And **Case 31-CA-074295**

SHEILA MONJAZEB, An Individual.

CORRECTED ORDER VACATING 3/26/13 ORDER DENYING RESPONDENT'S MOTION TO DISMISS THE COMPLAINT AND REFERRING MATTER TO THE BOARD

On March 26, 2013, I issued an order denying Respondent's motion to dismiss the complaint due to the National Labor Relation Board's (the Board's) lack of a proper quorum (the March 26 Order) in error without proper jurisdiction to issue a ruling on the matter. Section 102.24(b) of the Board's Rules and Regulations provides that a motion for dismissal filed before hearing must be filed with the Board "no later than 28 days prior to the scheduled hearing." The hearing in this matter is currently scheduled for May 16, 2013 – more than 28 days out so pursuant to Section 102.24(b) of the aforementioned rules, I am vacating my March 26 Order and the motion to dismiss is referred to the Board for a ruling.

For these reasons, I VACATE my March 26, 2013 Order Denying Respondent's Motion to Dismiss Complaint for lack of jurisdiction and I **REFER** this matter to the Board.

Dated: March 27, 2013, San Francisco, California.[1]

Associate Chief
Administrative Law Judge

[1] The issuance date has been corrected.

Served by facsimile upon the following:

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NLRB-SAN FRANCISCO

JOB #452

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	STATUS
001	3/27	11:09	913102357420	EC--S	00' 20"	002	OK
002		11:10	919163410141	EC--S	00' 37"	002	OK
003		11:11	913108619051	EC--S	00' 30"	002	OK
004		11:12	912022734270	EC--S	00' 15"	002	OK

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