UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

NORTHEASTERN LAND SERVICES, LTD.,
d/b/a/ THE NLS GROUP

AND CASE 01-CA-039447

JAMISON JOHN DUPUY, an Individual

REGIONAL DIRECTOR'S RESPONSE TO CHARGING PARTY'S REPLY TO OPPOSITION TO CHARGING PARTY'S REQUEST FOR BOARD REVIEW

Once stripped of vituperation, Charging Party's Reply asserts what the Region's original pleading readily concedes:

1.) The Compliance determination before the Board represents a compromise of a complex compliance issue;
2.) The Charging Party views the compromise as unsatisfactory;
3.) The Charging Party believes a better outcome is available to him through litigation of the backpay and reinstatement obligation before the Board and any Court review.

For the reasons previously set forth to the Board, the Region urges the Board to deny Charging Party's Request for Review, as the Compliance Determination represents an appropriate resolution of the substantial remaining disputed issues in this case. Charging Party is mistaken in his asserting that the Board lacks substantial evidence for so holding. The Board may view the position of the Compliance Officer and Regional management as expert opinion on the subject of compliance. See Federal Rules of Evidence 702, 703, and 704.

For the reasons stated in the Regional Director's Opposition, the Regional Director requests to Board to approve the Compliance Determination by denying the Request for Review.

Dated: June 10, 2013

Respectfully Submitted,

/s/ Scott F. Burson

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CERTIFICATE OF SERVICE

I hereby certify that I served copies of Regional Director's Response To Charging Party's Reply To Opposition To Charging Party's Request For Board Review on the parties listed below, by electronic mail, on this date.

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/s/ Mary H. Harrington
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Secretary to the Regional Director
June 10, 2013