

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

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

and

Case No. 01-CA-039447

JAMISON JOHN DUPUY, an Individual

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

In response to the Deputy Regional Attorney's assertion that the Compliance Officer that he supervised in this case and the Regional management are experts on the subject of compliance, the Charging Party respectfully submits the following:

Below is the Board's stated policy on the personal liability of the officers, agents, successors, and assigns of a respondent corporation:

"A Board order is a vindication of public policy and is binding not only on a named respondent but also is binding upon the respondent's "officers, agents, successors and assigns." As the Board has stated "It is well settled that the mere discontinuance in business does not necessarily render moot the allegations of unfair labor practices against a respondent." Redway Carriers, Inc., 301 NLRB 1113 (1991). See *East Dayton Tool & Die Co.*, 239 NLRB 141 fn. 1 (1978); *Armitage Sand & Gravel*, 203 NLRB 162, 166-167 (1973), *enfd.* in part 495 F.2d 759 (6th Cir. 1974), citing *Southport Petroleum Co. v. NLRB*, 315 U.S. 100, 107 (1942). Although Bolivar ceased operations, its "officers, agents, successors and assigns" retain the responsibility to manage the corporate assets so that the corporate assets are available to remedy the corporation's unfair labor practices." [Emphasis added.] *Bolivar-Tees, Inc.*, 349 NLRB 720 at 728.

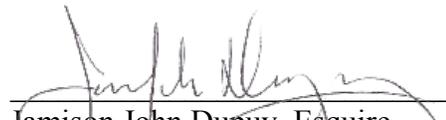
The unsecured and fraudulent Compliance Settlement Agreement at issue in this case contains a non-standard waiver of all of the Board's rights under the Act to pursue Jeffrey M. Deuink, the sole shareholder, president, treasurer and only named director of the "judgment proof" Respondent shell corporation that owns no assets, has no independent board of directors and exercises no business discretion independent of Deuink's will, and the Board's rights under

the Act to pursue the officers and agents who participated in the unlawful labor practice, Jessie B. Green, Jr. and Susan S. Green. Below is the non-standard waiver of the Board's rights:

“21. All parties waive all further and other proceedings to which the parties may be entitled under the Act or the Board's Rules and Regulations.”

If the now retired Regional Director, the Deputy Regional Attorney, and the Compliance Officer are experts on the subject of compliance, why did they not follow stated Board policy and pursue personal liability against Jeffrey M. Deuink, Jessie B. Green, Jr., and Susan S. Green, and why did they insert this non-standard waiver into the functionally unsecured agreement that prevents the Board from effectuating the policies of the Act by pursuing personal liability against these officers in the event the Respondent shell corporation ceases operations?

Respectfully Submitted,

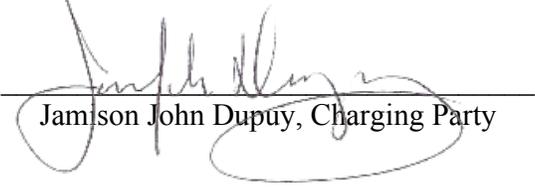
  
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Jamison John Dupuy, Esquire  
Charging Party Appearing *Pro Se*  
401 E. Booth Road #711  
Searcy, AR 72143  
Email: [dupuylaw@netzero.net](mailto:dupuylaw@netzero.net)

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing document upon the following individuals listed below by email this date:

Jonathan B. Kreisberg, Regional Director  
National Labor Relations Board, Region One  
10 Causeway Street, 6<sup>th</sup> Floor  
Boston, MA 02222-1072  
Email: [Jonathan.kreisberg@nlrb.gov](mailto:Jonathan.kreisberg@nlrb.gov)

Walter C. Hunter, Esquire  
Littler Mendelson, PC  
1 Financial Plaza  
Providence, RI 02903-2448  
Email: [whunter@littler.com](mailto:whunter@littler.com)

  
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Jamison John Dupuy, Charging Party

Dated at Searcy, Arkansas  
This 12th day of June, 2013