

May 14, 2014

Executive Secretary Gary Shinnars
National Labor Relations Board
Office of the Executive Secretary
1099 14th Street NW, Suite 11600
Washington, DC 20570

Re: *Palma v. NLRB*, 723 F.3d 176 (2d Cir. 2013), affirming in part and remanding
Mezonos Maven Bakery, Inc., 357 NLRB No. 47 (2011), Board Case 29-CA-025476

Dear Executive Secretary Shinnars:

We represent Christian Palma, Antonio Gonzalez, Francisco Javier Joya, Jose Antonio Quintana, and Jose Armando Sax-Gutierrez (collectively, “the discriminatees”), who are former employees of Mezonos Maven Bakery whose reinstatement rights are presently at issue in this matter. Accompanying this letter is a statement of position on behalf of the discriminatees in response to the Board’s March 26, 2014 invitation of such statements with respect to the issues raised by the court of appeals’ remand. It was the discriminatees’ petition for review that resulted in the court of appeals’ remand.

Because it is the discriminatees’ own reinstatement rights that are at issue in this case and it is only due to the discriminatees’ petition for review of the Board’s prior decision that the reinstatement issue has been remanded back to the Board, we believe that the discriminatees’ statement of position falls squarely within scope of the Board’s March 26, 2014 invitation to file such statements. However, if a motion for leave to file a statement of position on behalf of the discriminatees is required, we request that the Board consider this letter to constitute such a motion.

The charge in this case was filed by LatinoJustice PRLDEF on behalf of the individual discriminatees over a decade ago. LatinoJustice PRLDEF has been represented before the Board by various counsel from both the AFL-CIO and the National Immigration Law Center (NILC). However, we hereby withdraw from any further representation of LatinoJustice PRLDEF in this matter. LatinoJustice PRLDEF has informed us that it does not intend to file a statement of position in response to the Board’s March 26, 2014 invitation.

Sincerely,

/s/ Matthew Ginsburg
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