

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

**MILLENIUM PARKING LLC AND
METROPOLITAN 1, LLC,
SUCCESSOR/ALTER EGO**

And

CASE 13-CA-46285

TEAMSTERS LOCAL UNION NO. 727

**MOTION TO WITHDRAW MOTION FOR DEFAULT
JUDGMENT AND TRANSFER PROCEEDINGS TO NLRB REGION 13**

Charles J. Muhl, Counsel for the Acting General Counsel of the National Labor Relations Board in the above-captioned matter, moves to withdraw a previously-filed Motion for Default Judgment due to a settlement agreement reached by the parties in this case. Counsel for the Acting General Counsel also moves the Board to transfer this proceeding back to NLRB Region 13 for purposes of the withdrawal of the complaint and to ensure the Respondents' compliance with the agreed-upon settlement. In support of this motion, Counsel for the Acting General Counsel states as follows:

1. Pursuant to an unfair labor practice charge filed by Teamsters Local Union No. 727 (the "Union") on September 10, 2010, the Regional Director for Region 13 issued a Complaint and Notice of Hearing on December 23, 2010, alleging violations of Sections 8(a)(1) and (5) of the National Labor Relations Act by the Respondents.

2. On February 18, 2011, Counsel for the General Counsel filed with the Executive Secretary a Motion to Transfer Proceedings to the Board and Motion for Default Judgment pursuant to Sections 102.20 and 102.50 of the Board's Rules and Regulations, based upon the failure of both Respondents to file answers to the Complaint.

3. On that same date, the Board issued a Notice to Show Cause to the Respondents as to why the Motion for Default Judgment should not be granted, setting March 4, 2011, as the date any response was due. Neither Respondent filed a response to the Notice to Show Cause.

4. On March 10, 2011, representatives of Respondent Millenium Parking, Respondent Metropolitan I Valet, and Charging Party Teamsters Local 727 executed a Board informal Settlement Agreement and Notice. Because the executed settlement remedied all of the unlawful conduct alleged in the Complaint, the Regional Director for Region 13 approved the settlement agreement on March 21, 2011. The Settlement Agreement and Notice is attached hereto as Exhibit 1.

5. As a result of the Settlement Agreement, further proceedings before the Board are unnecessary and any default judgment, and associated Notice to Employees, entered by the Board would be duplicative of the Settlement Agreement.

WHEREFORE, Counsel for the General Counsel respectfully moves that the Board grant its Motion to Withdraw Motion for Default Judgment and transfer this matter back to NLRB Region 13.

DATED at Chicago, Illinois, this 21st day of March, 2011.

/s Charles J. Muhl

Charles J. Muhl
Counsel for the Acting General Counsel
National Labor Relations Board
Region 13
209 South LaSalle Street, Suite 900
Chicago, Illinois 60604
Ph: 312-353-7599
Fax: 312-886-1341
E-mail: charles.muhl@nlrb.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **Motion to Withdraw Motion for Default Judgment and to Transfer Proceedings to NLRB Region 13** has been electronically filed this 21st day of March, 2011, with the Board's Office of Executive Secretary pursuant to Section 102.114 of the Board's Rules and Regulations as revised and has been served in the manner indicated below upon the following counsel of record:

Via Electronic Mail

Mr. Douglas Wexler, Esq.
55 W. Wacker Dr., 9th Floor
Chicago, IL 60601
douglaswexler@sbcglobal.net

Ms. Stephanie Brinson, General Counsel
Teamsters Local Union No. 727
5940 W. Montrose Ave.
Chicago, IL 60634
sbrinson727@gmail.com

/s Charles J. Muhl

Charles J. Muhl
Counsel for the General Counsel
National Labor Relations Board
Region 13
209 South LaSalle Street, Suite 900
Chicago, Illinois 60604
Ph: 312-353-7599
Fax: 312-886-1341
E-mail: charles.muhl@nlrb.gov