

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

TORTILLERIA LA POBLANITA

and

**Case Nos. 2-CA-37935 and
2-CA-38089**

DOMINGO BENITEZ, an Individual

and

ROMAN CHAVEZ, an Individual

**AFFIDAVIT OF SERVICE OF: ACTING GENERAL COUNSEL'S REQUEST TO
WITHDRAW MOTION FOR SUMMARY JUDGMENT AND ISSUANCE OF
DECISION AND ORDER BASED ON DEFAULT FILED ON MARCH 29, 2011**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated below I served the above-entitled document(s) by **E-Mail** upon the following persons, addressed to them at the following addresses:

Tortilleria La Poblana
Attn: Pedro Reyes, Owner
4 Herriot Place
Yonkers, NY 10701

REGULAR MAIL

Domingo Benitez
163 Willow Street, Apt 3
Yonkers, NY 10701

Roman Chavez
58 Maple Street, Apt. 2E
Yonkers, NY 10701

Local 660, United Workers of America
Attn: Jordan El-Hag, Organizer
14 Bond Street , Suite 345
Great Neck, NY 11021-2045

**Subscribed and sworn to by me this:
April 19, 2011**

Designated Agent



NATIONAL LABOR RELATIONS BOARD

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

Tortilleria La Poblana,
Respondent

and

Case No. 2-CA-37935

Domingo Benitez,
An Individual

and

Case No. 2-CA-38089

Roman Chavez,
An Individual

ACTING GENERAL COUNSEL'S REQUEST TO WITHDRAW MOTION FOR
SUMMARY JUDGMENT AND ISSUANCE OF DECISION AND ORDER BASED
ON DEFAULT FILED ON MARCH 29, 2011

Counsel for the Acting General Counsel hereby requests withdrawal of the Motion for Summary Judgment which was filed in this matter on March 29, 2011, and transferred to the Board on March 30, 2011. The Motion is being re-filed today.

Dated at New York, New York, April 19, 2011.

Respectfully submitted,



Susannah Z. Ringel
Counsel for the Acting General Counsel
National Labor Relations Board
Region 2
26 Federal Plaza, Room 3614
New York, New York 10278-0104
(212) 264-0518