

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

<b>In the Matter of:</b>	)	
	)	
<b>CASE FARMS PROCESSING, INC.,</b>	)	<b>Case Nos. 8-CA-39152</b>
	)	<b>8-CA-39187</b>
<b>and</b>	)	<b>8-CA-39257</b>
	)	
<b>UNITED FOOD AND COMMERCIAL WORKERS UNION, LOCAL NO. 880.</b>	)	
	)	

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**JOINT MOTION TO WITHDRAW  
COUNSEL FOR THE ACTING GENERAL COUNSEL'S EXCEPTIONS  
AND  
RESPONDENT'S EXCEPTIONS**

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Pursuant to §102.47 of the National Labor Relations Board Rules and Regulations, Respondent Case Farms Processing, Inc. ("Case Farms" or "Respondent") and the Acting General Counsel of the National Labor Relations Board (the "Acting General Counsel") move the National Labor Relations Board (the "Board") for an Order granting this motion to withdraw the Exceptions filed by the Acting General Counsel on October 7, 2011 and the Exceptions filed by Case Farms on October 14, 2011<sup>1</sup> to Administrative Law Judge ("ALJ") Mark Carissimi's decision in Case Nos. 8-CA-39152; 8-CA-39187; 8-CA-39257 (JD-57-11).

1. On September 16, 2011, ALJ Carissimi issued a Decision and Recommended Order in Case Nos. 8-CA-39152; 8-CA-39187; 8-CA-39257. The Board filed Exceptions to the ALJ Decision on October 7, and on October 14 Case Farms filed its Exceptions to the ALJ Decision with the Board. The General Counsel then filed its Answering Brief to Case Farms' Exceptions and Case Farms filed its Reply Brief on October 28 and November 21, respectively. The Exceptions to the ALJ Carissimi's Decision are currently pending at the Board.

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<sup>1</sup> All dates herein are in 2011 unless otherwise indicated.

2. In light of changed circumstances, neither Case Farms nor the Acting General Counsel wish to continue to contest ALJ Carissimi's Decision and will comply with the Decision and Recommended Order of ALJ Carissimi. Accordingly, the Acting General Counsel is filing this motion seeking to withdraw its Exceptions to ALJ Carissimi's Decision and Case Farms is filing this motion seeking to withdraw its Exceptions to ALJ Carissimi's Decision.

For all the foregoing reasons, Case Farms and the General Counsel jointly request that the Board grant this *Joint Motion to Withdraw Counsel for the Acting General Counsel's Exceptions and Respondent's Exceptions* and issue an appropriate decision and order adopting Judge Carissimi's decision and order in JD-57-11.

Dated at Cleveland, Ohio, this 29th day of March, 2012.

Respectfully submitted,

/s/ Thomas D. Rooney

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/s/ Melanie R. Bordelois

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**CERTIFICATE OF SERVICE**

This is to certify that on March 29, 2012, a copy of the foregoing *Joint Motion to Withdraw The Acting General Counsel's Exceptions and Respondent's Exceptions* was filed with the NLRB's electronic filing system. Notice of filing will be sent to all Parties via email.

Respectfully submitted,

/s/ Thomas D. Rooney  
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