

Farmingdale, NY

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

PHOENIX LABS RISING, LLC, AND
PHOENIX LABS RISING, LLC,
DEBTOR-IN-POSSESSION

Case 29-CA-29204

and

LOCAL 202, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

ORDER

On December 9, 2009, Administrative Law Judge Eleanor MacDonald of the National Labor Relations Board issued her Decision in the above-entitled proceeding and, on the same date, the proceeding was transferred to and continued before the Board in Washington, D.C. The Administrative Law Judge found that the Respondent has engaged in certain unfair labor practices, and recommended that it take specific action to remedy such unfair labor practices.

No statement of exceptions having been filed with the Board, and the time allowed for such filing having expired,

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, and Section 102.48 of the National Labor Relations Board Rules and Regulations, the Board adopts the findings and conclusions of the Administrative Law Judge as contained in her Decision and orders that the Respondent, Phoenix Labs Rising, LLC, and Phoenix Labs Rising, LLC, Debtor-In-Possession, its officers, agents, successors, and assigns, shall take the action set forth in the recommended Order of the Administrative Law Judge.

Dated, Washington, D.C. February 1, 2010.

By direction of the Board:

Richard Hardick

Associate Executive Secretary