

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
Division of Administrative Law Judges  
San Francisco, CA**

ENCINO HOSPITAL MEDICAL CENTER

and

Case No. 31-CA-066945

SEIU UNITED HEALTHCARE WORKERS - WEST

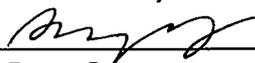
**RESPONSE TO ADMINISTRATIVE LAW JUDGE'S ORDER &  
RESPONDENT'S LETTER DATED APRIL 8, 2013**

Counsel for the Acting General Counsel responds to the Administrative Law Judge's Order dated April 8, 2013, and hereby files a response to Respondent's letter to the ALJ dated April 8, 2013 ("Letter").

Contrary to Respondent's contention in its Letter, remand of this proceeding is appropriate for the reasons stated in the Board's decision dated March 19, 2013. Should the Court of Appeals for the D.C. Circuit deny Respondent's Petition for a Writ of Mandamus to halt the remand, the ALJ should not permit the parties to submit additional briefing on the issues the Board highlighted in its decision for the very reason stated in Respondent's Letter: "[T]he issues identified by the Board were fully . . . briefed...." All parties have had the opportunity to brief and respond to the issues. Respondent, specifically, has filed a post-hearing brief, a corrected post-hearing brief, and an answering brief, all addressing the issues raised in the Board's decision.

For the reasons set forth above, the Board's remand of this proceeding is appropriate and additional briefing should not be permitted.

Dated: April 12, 2013

  
\_\_\_\_\_  
Simone Pang Gancayco  
Juan Carlos Ochoa Diaz  
Counsel for the Acting General Counsel  
National Labor Relations Board, Region 31  
11500 West Olympic Boulevard, Suite 600  
Los Angeles, CA 90064

Re: Encino Hospital Medical Center  
Case No: 31-CA-066945

CERTIFICATE OF SERVICE

I hereby certify that I served the attached copy of the **RESPONSE TO ADMINISTRATIVE LAW JUDGE'S ORDER & RESPONDENT'S LETTER DATED APRIL 8, 2013** on the parties listed below on the 12<sup>th</sup> day of April, 2013.

VIA E-FILE

The Honorable Gerald A. Wacknov  
Administrative Law Judge  
National Labor Relations Board  
901 Market Street, Suite 300  
San Francisco, CA 94103-1735  
[www.nlr.gov](http://www.nlr.gov)

VIA E-MAIL

Jonathan A. Siegel  
Jackson Lewis LLP  
5000 Birch Street, Suite 5000  
Newport Beach, CA 92660  
[SiegelJ@jacksonlewis.com](mailto:SiegelJ@jacksonlewis.com)

Monica Guizar, Esq.  
Weinberg, Roger & Rosenfeld  
800 Wilshire Blvd., Suite 1320  
Los Angeles, CA 90017  
[MGuizar@unioncounsel.net](mailto:MGuizar@unioncounsel.net)

Maggie Macias  
Service Employees International Union,  
United Healthcare Workers – West  
5480 Ferguson Drive  
Los Angeles, CA 90022-5119  
[mmacias@seiu-uhw.org](mailto:mmacias@seiu-uhw.org)

VIA REGULAR MAIL

Barbara Back  
Encino Hospital Medical Center  
16237 Ventura Blvd.  
Encino, CA 91436-2201



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Roxanne Robinson, Compliance Assistant  
National Labor Relations Board  
Region 31