

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

**VERITAS HEALTH CARE SERVICES, INC. d/b/a  
CHINO VALLEY MEDICAL CENTER**

and

**Case 31-CA-091701**

**UNITED NURSES ASSOCIATION OF CALIFORNIA/  
UNION OF HEALTHCARE PROFESSIONALS,  
NUHHCE, AFSCME, AFL-CIO**

**ORDER DENYING MOTION**

The Respondent's Motion to Dismiss Complaint is denied. The Respondent has failed to establish that it is entitled to judgment as a matter of law.<sup>1</sup>

Dated, Washington, D.C., April 30, 2013.

MARK GASTON PEARCE,	CHAIRMAN
RICHARD F. GRIFFIN, JR.,	MEMBER
SHARON BLOCK,	MEMBER

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<sup>1</sup> The Respondent contends that the Board lacks a quorum because the President's recess appointments are constitutionally invalid, that the Board's appointment of the Regional Director for Region 31 is also invalid because the Board lacked a quorum at the time of the appointment, and that therefore the complaint in this proceeding is void ab initio. In addition, the Respondent appears to argue that the Acting General Counsel lacks the power to investigate and prosecute charges of unfair labor practices in the absence of a Board quorum. For the reasons stated in *Bloomingtondale's Inc.*, 359 NLRB No. 113 (2013), these arguments are rejected