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To: ecfmail_ilnd@ilnd.uscourts.gov
Subject: Activity in Case 1:15-cv-03519 Lineback v. Green Organics, Inc. motion to withdraw
Date: Wednesday, May 06, 2015 4:51:13 PM

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United States District Court

Northern District of Illinois - CM/ECF LIVE, Ver 6,1

Notice of Electronic Filing

The following transaction was entered by Kiser, Charles on 5/6/2015 at 3:49 PM CDT and filed on 5/6/2015

Case Name: Lineback v. Green Organics, Inc.
Case Number: [1:15-cv-03519](#)
Filer: International Union of Operating Engineers, Local 150, AFL-CIO
Document Number: [11](#)

Docket Text:

MOTION by Amicus International Union of Operating Engineers, Local 150, AFL-CIO to withdraw notice of motion[10], motion for leave to appear[9] (Attachments: # (1) Exhibit A)(Kiser, Charles)

1:15-cv-03519 Notice has been electronically mailed to:

Andrea Yolane James andrea.james@nrlb.gov

Derek Alan Johnson derek.johnson@nrlb.gov, joanne.mages@nrlb.gov,
richard.simon@nrlb.gov

1:15-cv-03519 Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1040059490 [Date=5/6/2015] [FileNumber=14438076-0] [24308e84f1d22763e9833603314d271066ed4289373f19d596a916d704bcabe64b7]

9ffc62d6c5cae10dc179cd2e9a580e7c20883e7fb5a475766e6433a733a40]]

Document description:Exhibit A

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1040059490 [Date=5/6/2015] [FileNumber=14438076-1
] [2faeb105d91edba2772a1c16ef46ba73aa5ce954ceb7e2cbe63c7a7aa836d9c0d82
87575adafd1dffe11a4d7b89ee335004a87d5a9518373c71f8ed4838fc596]]

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Rik Lineback, Regional Director of the)
Twenty-Fifth Region of the National Labor)
Relations Board, for and on behalf of the)
NATIONAL LABOR RELATIONS)
BOARD,)

Petitioner,)

v.)

GREEN ORGANICS, INC.,)

Respondent.)

Case No. 1:15-cv-3519

**CHARGING PARTY LOCAL 150’s MOTION TO WITHDRAW
MOTION FOR LEAVE TO APPEAR AND PARTICIPATE AS AMICUS CURIAE**

The International Union Of Operating Engineers Local 150, AFL-CIO, Local 150 (“Local 150”) hereby moves to withdraw without prejudice the following motion: “Charging Party Local 150’s Motion to Withdraw Motion for Leave to Appear and Participate as *Amicus Curiae*,” electronically filed May 5, 2015. Local 150 is withdrawing its motion because the underlying National Labor Relations Board cases that gave rise to this case have been settled, obviating the need to pursue 10(j) injunctive relief (see attached email from the NLRB attorney indicating the Region will be dismissing this case upon approval of the settlement by the Regional Director).

Date: May 6, 2015

Respectfully submitted,

INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 150, AFL-CIO

By: /s/ Charles R. Kiser
One of the Attorneys for Local 150

Attorneys for Local 150:
Charles R. Kiser
Dale D. Pierson
Local 150 Legal Department
6140 Joliet Road
Countryside, IL 60525
Ph. 708/579-6663; Fx. 708/588-1647

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that on May 6, 2015, he electronically filed ***Charging Party Local 150's Motion to Withdraw Motion for Leave to Appear and Participate as Amicus Curiae*** with the Clerk of Court using the CM/CM/ECF system which sent notification to the following:

Derek A. Johnson (derek.johnson@nlrb.gov)
National Labor Relations Board, Region 25
575 North Pennsylvania Street, Room 238
Indianapolis, IN 46204

Andrea Yolane James (andrea.james@nlrb.gov)
National Labor Relations Board, Region 13
209 South LaSalle Street, 9th Floor
Chicago, IL 60604

The undersigned further certifies that he caused the foregoing to be served on the following counsel of record via electronic and regular mail on May 6, 2015:

Michael Berendt (mberendt@berendtlawfirm.com)
Michael Berendt
Berendt Law Firm
1501 Stonegate Manor
Mount Prospect, IL 60056-1075

By: /s/ Charles R. Kiser
One of the Attorneys for Local 150

Attorneys for Defendant:
Charles R. Kiser
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6140 Joliet Road
Countryside, IL 60525
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Fx. 708/588-1647

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EXHIBIT A

Charles Kiser

From: Johnson, Derek <Derek.Johnson@nlrb.gov>
Sent: Wednesday, May 06, 2015 2:15 PM
To: Mike Berendt; Charles Kiser
Subject: Green Organics settlement

Gentlemen,

Thank you both for your cooperation in getting this case resolved!

Both parties have now signed the settlement agreement so I will pass it along to the Regional Director for his approval (perhaps as early as tomorrow). In the meantime, I will draft a Notice of Voluntary Dismissal under FRCP 41(a)(1) to close out the 10(j) federal court action and will file that as soon as the settlement has been approved. We've also received the union's request to withdraw the recently filed charge concerning pay raises, and I'm sure the Regional Director will be approving that withdrawal request at the same time.

Also, I've been asked to check with the parties to see whether or not they want to be present for the opening of Zwart's ballot. If either party wants to be present, somebody from our office (or likely the Peoria office) will be in touch to work out the details. Otherwise, if neither party wants to be present, we will just notify the parties of the date and time of opening the ballot and then send out the revised tally of ballots. So, what's your pleasure?

Derek

Derek A. Johnson
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