

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
AT LEXINGTON**

GAREY E. LINDSAY, Regional)
Director of the Ninth Region of the)
National Labor Relations Board, for and on)
behalf of the NATIONAL LABOR)
RELATIONS BOARD,)
)
Petitioner)
)
)
)
v.)

WAUSAU PAPER CORP.,)
)
)
Respondent)

Civil No. 5:15-CV-00133-KCC

PETITIONER’S MOTION FOR VOLUNTARY DISMISSAL

COMES NOW Counsel for the petitioner and respectfully moves the Court as follows:

Counsel for the petitioner, Garey E. Lindsay, Regional Director of the Ninth Region of the National Labor Relations Board, respectfully moves for the voluntary dismissal without prejudice of this case pursuant to Federal Rules of Civil Procedure 41(a)(2). In support thereof, petitioner states as follows:

1. On May 13, 2015, petitioner filed a petition pursuant to Section 10(j) of the National Labor Relations Act, as amended [61 Stat. 149; 73 Stat. 544; 29 U.S.C. §160(j)], herein called the Act, seeking to enjoin Wausau Paper Corp., herein called respondents, from engaging in certain acts and conduct in violation of the Act, pending the final disposition of the matters involved currently pending before the National Labor Relations Board, herein called the Board.

2. Petitioner and respondent entered into a Settlement Agreement on June 2, 2015.

3. Pursuant to the Settlement Agreement, petitioner canceled the hearing scheduled before an administrative law judge of the National Labor Relations Board on June 9, 2015.

4. As a result of the Settlement Agreement, the need for injunctive relief, as a matter of law, is obviated and extinguished, and petitioner seeks dismissal of the current matter before this Court.

5. Accordingly, petitioner respectfully moves that this Court grant its Motion to Voluntarily Dismiss the Petition without prejudice.

Dated at Cincinnati, Ohio this 8th day of June 2015.

/s/ Jamie Ireland

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CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2015, I electronically filed Petitioner's Motion for Voluntary Dismissal and proposed Order with the Clerk of Court using the Cm/ECF system and have served the document electronically to the following non-CM/ECF participants:

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