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**United States Postal Service and Stefan Gustaf  
Ronnkvist.** Case 18–CA–142795

September 29, 2015

ORDER DENYING MOTION<sup>1</sup>

BY CHAIRMAN PEARCE AND MEMBERS MISCIMARRA  
AND HIROZAWA

The General Counsel’s Motion for Summary Judgment is denied. The General Counsel has failed to establish that there are no genuine issues of material fact warranting a hearing and that he is entitled to judgment as a matter of law.<sup>2</sup>

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> The General Counsel alleges that Respondent’s rule regarding the “Interception of Oral or Wire Communications by Postal Employees” violates Sec. 8(a)(1) of the Act. Member Miscimarra notes that, as the

Dated, Washington, D.C. September 29, 2015

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Mark Gaston Pearce, Chairman

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Philip A. Miscimarra, Member

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Kent Y. Hirozawa, Member

(SEAL) NATIONAL LABOR RELATIONS BOARD

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Respondent contends in opposition of the General Counsel’s Motion for Summary Judgment, certain precedents relied upon by the General Counsel suggest the employer’s rationale(s) for adopting such a rule may be material to the disposition of the allegations in this case, and neither the record nor the rule itself provide evidence regarding any such rationale(s). On this basis Member Miscimarra denies the motion.