

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF WEST VIRGINIA**  
**AT BLUEFIELD**

LISA Y. HENDERSON, Acting Regional  
Director of the Tenth Region of the  
NATIONAL LABOR RELATIONS  
BOARD.

Petitioner,

v.

BLUEFIELD HOSPITAL COMPANY,  
LLC d/b/a BLUEFIELD REGIONAL  
MEDICAL CENTER

Respondent.

**NOTICE OF APPEAL**

CA  1:16-cv-06305

Notice is hereby given that Lisa Y. Henderson, Acting Regional Director of the

Tenth Region of the National Labor Relations Board

Petitioner  in the above named case hereby appeal(s) to the United States Court of Appeals for  
the Fourth Circuit from the Memorandum Opinion and Order

entered in this action on September 20, 2016.

Joel R. White

*Attorney for Appellant(s)*

National Labor Relations Board

Subregion 11

4035 University Parkway, Suite 200

Winston-Salem, North Carolina 27116-3275

Telephone: (336) 582-7144

North Carolina Bar No. 43289

**APPEAL TRANSMITTAL SHEET (non-death penalty)**

<p><b>Transmittal to 4CCA of notice of appeal filed:</b> <u>11/17/16</u></p> <p><input checked="" type="checkbox"/> First NOA in Case  <input type="checkbox"/> Subsequent NOA-same party  <input type="checkbox"/> Subsequent NOA-new party  <input type="checkbox"/> Subsequent NOA-cross appeal  <input type="checkbox"/> Paper ROA    <input type="checkbox"/> Paper Supp.</p> <p>Vols: _____          Other: _____</p>	<p><b>District:</b> USDC/SDWW</p> <p><b>Division:</b> Bluefield</p> <p><b>Caption:</b> Lisa Y. Henderson, Acting Regional Director of the Tenth Region of the National Labor Relations Board v. Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center</p>	<p><b>District Case No.</b> 1:16-cv-06305</p> <p><b>4CCA No(s). for any prior NOA:</b></p> <p><b>4CCA Case Manager:</b></p>
<p><b>Exceptional Circumstances:</b>    <input type="checkbox"/> Bail    <input type="checkbox"/> Interlocutory    <input type="checkbox"/> Recalcitrant Witness    <input type="checkbox"/> Other _____</p>		
<p><b>Confinement-Criminal Case:</b>  <input type="checkbox"/> Death row-use DP Transmittal  <input type="checkbox"/> Recalcitrant witness  <input type="checkbox"/> In custody  <input type="checkbox"/> On bond  <input type="checkbox"/> On probation</p> <p><b>Defendant Address-Criminal Case:</b></p>	<p><b>Fee Status:</b>  <input checked="" type="checkbox"/> No fee required (USA appeal)    <input type="checkbox"/> Appeal fees paid in full    <input type="checkbox"/> Fee not paid</p> <p><b>Criminal Cases:</b>  <input type="checkbox"/> District court granted &amp; did not revoke CJA status (continues on appeal)  <input type="checkbox"/> District court granted CJA &amp; later revoked status (must pay fee or apply to 4CCA)  <input type="checkbox"/> District court never granted CJA status (must pay fee or apply to 4CCA)</p> <p><b>Civil, Habeas &amp; 2255 Cases:</b>  <input type="checkbox"/> Court granted &amp; did not revoke IFP status (continues on appeal)  <input type="checkbox"/> Court granted IFP &amp; later revoked status (must pay fee or apply to 4CCA)  <input type="checkbox"/> Court never granted IFP status (must pay fee or apply to 4CCA)</p>	
<p><b>District Judge:</b> David A. Faber</p>	<p><b>PLRA Cases:</b>  <input type="checkbox"/> Proceeded PLRA in district court, no 3-strike determination (must apply to 4CCA)  <input type="checkbox"/> Proceeded PLRA in district court, determined to be 3-striker (must apply to 4CCA)</p>	
<p><b>Court Reporter (list all):</b> Lisa Cook</p>	<p><b>Sealed Status (check all that apply):</b>  <input type="checkbox"/> Portions of record under seal  <input type="checkbox"/> Entire record under seal  <input type="checkbox"/> Party names under seal  <input type="checkbox"/> Docket under seal</p>	
<p><b>Coordinator:</b> Tina Smith</p>	<p><b>Record Status for Pro Se Appeals (check any applicable):</b>  <input type="checkbox"/> Assembled electronic record transmitted  <input type="checkbox"/> Additional sealed record emailed to 4cca-filing  <input type="checkbox"/> Paper record or supplement shipped to 4CCA  <input type="checkbox"/> No in-court hearings held  <input type="checkbox"/> In-court hearings held – all transcript on file  <input type="checkbox"/> In-court hearings held – all transcript not on file  <input type="checkbox"/> Other:</p>	<p><b>Record Status for Counseled Appeals (check any applicable):</b>  <input type="checkbox"/> Assembled electronic record available if requested  <input type="checkbox"/> Additional sealed record available if requested  <input type="checkbox"/> Paper record or supplement available if requested  <input type="checkbox"/> No in-court hearings held  <input type="checkbox"/> In-court hearings held – all transcript on file  <input checked="" type="checkbox"/> In-court hearings held – all transcript not on file  <input type="checkbox"/> Other:</p>

Deputy Clerk: Melissa Keene    Phone: 304-327-9798    Date: 11/18/16

FILED: November 18, 2016

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 16-2331  
(1:16-cv-06305)

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LISA Y HENDERSON, Acting Regional Director of the Tenth Region of the National Labor Relations Board, for and on behalf of the National Labor Relations Board; NATIONAL LABOR RELATIONS BOARD

Petitioners - Appellants

v.

BLUEFIELD HOSPITAL CO., LLC, d/b/a Bluefield Regional Medical Center

Respondent - Appellee

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This case has been opened on appeal.

Originating Court	United States District Court for the Southern District of West Virginia at Bluefield
Originating Case Number	1:16-cv-06305
Date notice of appeal filed in originating court:	11/17/2016
Appellant (s)	Lisa Y Henderson, Acting Regional Director of the Tenth Region of the NLRB, National Labor Relations Board
Appellate Case Number	16-2331
Case Manager	Cathy Poulsen 804-916-2704

FILED: November 18, 2016

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 16-2331 (L)  
(1:16-cv-06305)

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LISA Y HENDERSON, Acting Regional Director of the Tenth Region of the  
National Labor Relations Board, for and on behalf of the National Labor Relations  
Board; NATIONAL LABOR RELATIONS BOARD

Plaintiffs - Appellants

v.

BLUEFIELD HOSPITAL CO., LLC, d/b/a Bluefield Regional Medical Center

Defendant - Appellee

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No. 16-2332  
(5:16-cv-06307)

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LISA Y HENDERSON, Acting Regional Director of the Tenth Region of the  
National Labor Relations Board, for and on behalf of the National Labor Relations  
Board; NATIONAL LABOR RELATIONS BOARD

Plaintiffs - Appellants

v.

GREENBRIER VMC, LLC, doing business as Greenbrier Valley Medical Center

Defendant - Appellee

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ORDER

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The court consolidates Case No. 16-2331 and Case No. 16-2332. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY

LISA Y HENDERSON, Acting Regional  
Director of the Tenth Region of the  
NATIONAL LABOR RELATIONS  
BOARD

Petitioner,

NOTICE OF APPEAL

v.

CA  5:16-cv-06307

GREENBRIER VMC, LLC d/b/a  
GREENBRIER VALLEY MEDICAL  
CENTER

Respondent,

Notice is hereby given that Lisa Y Henderson, Acting Regional Director of the  
Tenth Region of the National Labor Relations Board  
Petitioner  in the above named case hereby appeal(s) to the United States Court of Appeals for  
the Fourth Circuit from the Memorandum Opinion and Order  
entered in this action on September 20, 2016.

Joel R. White

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National Labor Relations Board

Subregion 11

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Telephone: (336) 582-7144

North Carolina Bar No. 43289

**APPEAL TRANSMITTAL SHEET (non-death penalty)**

<b>Transmittal to 4CCA of notice of appeal filed:</b> <u>11/17/16</u>  <input checked="" type="checkbox"/> First NOA in Case <input type="checkbox"/> Subsequent NOA-same party <input type="checkbox"/> Subsequent NOA-new party <input type="checkbox"/> Subsequent NOA-cross appeal <input type="checkbox"/> Paper ROA <input type="checkbox"/> Paper Supp.  Vols: _____ Other: _____	<b>District:</b> Southern District of West Virginia  <b>Division:</b> Beckley Division  <b>Caption:</b> Lisa Y. Henderson, et. al. v. Greenbrier VMC, LLC	<b>District Case No.</b> 5:16-cv-06307  <b>4CCA No(s). for any prior NOA:</b>  <b>4CCA Case Manager:</b>
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**Exceptional Circumstances:**     Bail     Interlocutory     Recalcitrant Witness     Other \_\_\_\_\_

<b>Confinement-Criminal Case:</b> <input type="checkbox"/> Death row-use DP Transmittal <input type="checkbox"/> Recalcitrant witness <input type="checkbox"/> In custody <input type="checkbox"/> On bond <input type="checkbox"/> On probation  <b>Defendant Address-Criminal Case:</b>	<b>Fee Status:</b> <input checked="" type="checkbox"/> No fee required (USA appeal) <input type="checkbox"/> Appeal fees paid in full <input type="checkbox"/> Fee not paid  <b>Criminal Cases:</b> <input type="checkbox"/> District court granted & did not revoke CJA status (continues on appeal) <input type="checkbox"/> District court granted CJA & later revoked status (must pay fee or apply to 4CCA) <input type="checkbox"/> District court never granted CJA status (must pay fee or apply to 4CCA)  <b>Civil, Habeas &amp; 2255 Cases:</b> <input type="checkbox"/> Court granted & did not revoke IFP status (continues on appeal) <input type="checkbox"/> Court granted IFP & later revoked status (must pay fee or apply to 4CCA). <input type="checkbox"/> Court never granted IFP status (must pay fee or apply to 4CCA)
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<b>District Judge:</b>  The Honorable David A. Faber	<b>PLRA Cases:</b> <input type="checkbox"/> Proceeded PLRA in district court, no 3-strike determination (must apply to 4CCA) <input type="checkbox"/> Proceeded PLRA in district court, determined to be 3-striker (must apply to 4CCA)
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<b>Court Reporter (list all):</b>  Lisa A. Cook.   <b>Coordinator:</b> Tina Smith	<b>Sealed Status (check all that apply):</b> <input type="checkbox"/> Portions of record under seal <input type="checkbox"/> Entire record under seal <input type="checkbox"/> Party names under seal <input type="checkbox"/> Docket under seal
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Deputy Clerk: Susan Richmond    Phone: 304/253-7481    Date: 11/18/16

FILED: November 18, 2016

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 16-2332  
(5:16-cv-06307)

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LISA Y HENDERSON, Acting Regional Director of the Tenth Region of the National Labor Relations Board, for and on behalf of the National Labor Relations Board; NATIONAL LABOR RELATIONS BOARD

Plaintiffs - Appellants

v.

GREENBRIER VMC, LLC, doing business as Greenbrier Valley Medical Center

Defendant - Appellee

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This case has been opened on appeal.

Originating Court	United States District Court for the Southern District of West Virginia at Beckley
Originating Case Number	5:16-cv-06307
Date notice of appeal filed in originating court:	11/17/2016
Appellant (s)	Lisa Y Henderson, Acting Regional Director of the Tenth Region of the National Labor Relations Board, National Labor Relations Board
Appellate Case Number	16-2332
Case Manager	Cathy Poulsen 804-916-2704

FILED: November 18, 2016

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 16-2331 (L)  
(1:16-cv-06305)

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LISA Y HENDERSON, Acting Regional Director of the Tenth Region of the  
National Labor Relations Board, for and on behalf of the National Labor Relations  
Board; NATIONAL LABOR RELATIONS BOARD

Plaintiffs - Appellants

v.

BLUEFIELD HOSPITAL CO., LLC, d/b/a Bluefield Regional Medical Center

Defendant - Appellee

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No. 16-2332  
(5:16-cv-06307)

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LISA Y HENDERSON, Acting Regional Director of the Tenth Region of the  
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Board; NATIONAL LABOR RELATIONS BOARD

Plaintiffs - Appellants

v.

GREENBRIER VMC, LLC, doing business as Greenbrier Valley Medical Center

Defendant - Appellee

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ORDER

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For the Court--By Direction

/s/ Patricia S. Connor, Clerk