



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 22
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April 13, 2017

By Electronic Filing

Mr. Gary Shinnars, Executive Secretary
National Labor Relations Board
Office of the Executive Secretary
1015 Half Street, SE
Washington, D.C. 20570

Re: Newark Portfolio JV, LLC
Case No. 22-RC-081108

Dear Mr. Shinnars:

This is a technical-refusal-to bargain case. I am Counsel for the General Counsel in the case. The Employer, by counsel, in a letter filed with the Executive Secretary, has asserted that it is no longer operating. In response, the Board issued to the parties a Notice to Show Cause on or before April 5, 2017 why this case should not be dismissed. At the request of the General Counsel, the parties were granted an extension of time to respond to the Notice to Show Cause until April 19, 2017. This is General Counsel's response.

The Employer in this case was in the business of property management, employing the employees who worked in certain buildings and who voted to be represented by the Petitioner Union. After the Notice to Show Cause issued, and after the Executive Secretary granted the extension of time to respond, General Counsel was advised by the Petitioner Union that these buildings are no longer owned and operated by the Employer, and that the current employer is not related to the Employer involved in this case. Petitioner Union has further advised that the workforce in these buildings has generally changed under the new ownership. General Counsel has discovered no information contradicting that conveyed by the Union. Based on these circumstances, the Union has requested withdrawal of its representation petition, without prejudice to the filing of a new petition to represent the new workforce.

Therefore, General Counsel requests that the Board remand this case to the Region to process the Union's withdrawal request.

Our Affidavit of Service appears below.

Respectfully,

s/Tara Levy

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cc: by email to:

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AFFIDAVIT OF SERVICE

I declare under penalty of perjury that this letter was served today, April 13, 2017, by e-mail on counsel for all parties whose names and e-mail addresses are listed above.

s/Tara Levy

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