



United States Government

**NATIONAL LABOR RELATIONS BOARD**

**OFFICE OF THE GENERAL COUNSEL**

Washington, D.C. 20570

May 22, 2017

Molly Dwyer  
Clerk, United States Court of Appeals  
for the Ninth Circuit  
Post Office Box 193939  
San Francisco, CA 94119-3939

*Re: NLRB v. United Food and Commercial Workers Union Local 4  
affiliated with United Food and Commercial Workers Union  
Board Case No. 19-CB-009660*

Dear Ms. Dwyer:

Please find enclosed a copy of the National Labor Relations Board's application for enforcement of its order in this case. Within 40 days of the Court's docketing of this application, I will file the certified list of the contents of the agency record.

Please serve a copy of this application on the Respondent, United Food and Commercial Workers Union Local 4 affiliated with United Food and Commercial Workers Union, whose address appears on the service list. I have served a copy of the application on each party admitted to participate in the Board proceedings, and their names and addresses also appear on the service list.

I am counsel of record for the Board, and all correspondence should be addressed to me. I would appreciate your furnishing the Board's Regional

Director, whose name and address also appear on the service list, with a copy of any correspondence the Court sends to counsel in this case. The Board attorneys directly responsible for this case are Julie Broido (202) 273-2996 and Micah Jost (202) 273-0264.

/s/Linda Dreeben  
Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1015 Half Street SE  
Washington, DC 20570

Encls.

SERVICE LIST

*NLRB v. United Food and Commercial Workers Union Local 4*  
*affiliated with United Food and Commercial Workers Union*  
Board Case No. 19-CB-009660

|  |                      |
|--|----------------------|
| David A. Rosenfeld, Esquire<br>Weinberg, Roger & Rosenfeld, PC<br>1001 Marina Village Parkway<br>Suite 200<br>Alameda, CA 94501-6430 | Respondent's Counsel |
| Nicolai B. Cocergine, President<br>UFCW Local 4<br>P.O. Box 567<br>Butte, MT 59703-0567  | Respondent           |
| Pamela Marie Barrett<br>1406 Central Ave<br>Hopewell, VA 23860-5909  | Charging Party       |
| Randy Bebe, Store Manager<br>Safeway Stores, Inc.<br>6580 US Highway 93 South<br>Whitefish, MT 59937-2959                            | Involved Party       |
| Debbie Weatherston<br>Safeway Stores, Inc.<br>6580 US Highway 93 South<br>Whitefish, MT 59937-2959                                   | Involved Party       |
| Ronald K. Hooks<br>National Labor Relations Board<br>Region<br>915 2 <sup>nd</sup> Avenue<br>Room 2948<br>Seattle, WA 98174-1078     | Regional Director    |

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

|                                 |   |                |
|---------------------------------|---|----------------|
| NATIONAL LABOR RELATIONS BOARD  | ) |                |
|                                 | ) |                |
| Petitioner                      | ) | No.            |
|                                 | ) |                |
| v.                              | ) | Board Case No. |
|                                 | ) | 19-CB-009660   |
| UNITED FOOD AND COMMERCIAL      | ) |                |
| WORKERS UNION LOCAL 4           | ) |                |
| AFFILIATED WITH UNITED FOOD AND | ) |                |
| COMMERCIAL WORKERS UNION,       | ) |                |
|                                 | ) |                |
| Respondent                      | ) |                |

**APPLICATION FOR ENFORCEMENT  
OF AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD**

The National Labor Relations Board hereby applies to the Court for enforcement of its Order issued against United Food and Commercial Workers Union Local 4 affiliated with United Food and Commercial Workers Union on February 22, 2016, in Board Case No. 19-CB-009660, reported at 363 NLRB No. 127, as amended by its Order issued on February 13, 2017, reported at 365 NLRB No. 32. The Board seeks enforcement of its Order in full.

The Court has jurisdiction over this application pursuant to Section 10(e) of the National Labor Relations Act, as amended (29 U.S.C. § 160(e)).

Venue is proper in this Circuit because the unfair labor practice(s) occurred in Butte, Montana.

/s/Linda Dreeben  
\_\_\_\_\_  
Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1015 Half Street, SE

Washington, DC 20570  
Dated at Washington, D.C.  
this 22<sup>nd</sup> day of May 2017

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

|                                 |   |                |
|---------------------------------|---|----------------|
| NATIONAL LABOR RELATIONS BOARD  | ) |                |
|                                 | ) |                |
| Petitioner                      | ) | No.            |
|                                 | ) |                |
| v.                              | ) | Board Case No. |
|                                 | ) | 19-CB-009660   |
| UNITED FOOD AND COMMERCIAL      | ) |                |
| WORKERS UNION LOCAL 4           | ) |                |
| AFFILIATED WITH UNITED FOOD AND | ) |                |
| COMMERCIAL WORKERS UNION,       | ) |                |
|                                 | ) |                |
| Respondent                      | ) |                |

**CERTIFICATE OF SERVICE**

The undersigned certifies that the Board’s application for enforcement of its order in this case is being filed with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system, and served on the following counsel, who is a registered CM/ECF user:

David A. Rosenfeld, Esquire  
Weinberg, Roger & Rosenfeld, PC  
1001 Marina Village Parkway  
Suite 200  
Alameda, CA 94501-6430

/s/Linda Dreeben  
Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1015 Half Street SE

Washington, DC 20570  
Dated at Washington, D.C.  
this 22<sup>nd</sup> day of May 2017