

Attachment B
to September 21, 2017
Letter from Respondent
DHSC, LLC d/b/a Affinity
Medical Center

Binstock v. DHSC, LLC
d/b/a Affinity Medical
Center, Case No. 5:16-
CV-01060

From: Carmen DiRienzo <carmen.dirienzo@hotmail.com>
Subject: Re: DHSC, LLC, d/b/a Affinity Medical Center, 08-CA-166039, et al. - Reading of the Notice
Date: September 11, 2017 at 12:58:29 PM EDT
To: "Sukert, Aaron" <Aaron.Sukert@nlrb.gov>
Cc: Carmen DiRienzo <cdirienzo@carmodyandcarmody.com>, "Pincus, Stephen M." <Stephen.Pincus@nlrb.gov>

Will do. Also, just learned that a previous booking in the large conference room has cancelled, and we may be able to accommodate the second reading at noon, rather than 2pm. Will be back in touch by end of day today to confirm details.

Carmen M. DiRienzo
917-217-4691

On Sep 11, 2017, at 10:51 AM, Sukert, Aaron <Aaron.Sukert@nlrb.gov> wrote:

Sounds good. I think 5-10 minutes is probably correct. Once you get details, let me know where I need to show up, or report to, and where I can park, etc...

Thanks,
Aaron

From: Carmen DiRienzo [<mailto:carmen.dirienzo@hotmail.com>]
Sent: Monday, September 11, 2017 11:22 AM
To: Sukert, Aaron <Aaron.Sukert@nlrb.gov>

Cc: Carmen DiRienzo <cdirienzo@carmodyandcarmody.com>; Pincus, Stephen M. <Stephen.Pincus@nlrb.gov>

Subject: Re: DHSC, LLC, d/b/a Affinity Medical Center, 08-CA-166039, et al. - Reading of the Notice

Aaron, I've been advised that the morning reading should start promptly at 6:30 in order for the night shift RNs to be back to their posts in time for shift change. I anticipate the reading will take 5-10 minutes. Please correct me if you think otherwise, because that may change the start time.

Once we have details nailed down, I will have the HRD get a notice out.

Also, I have asked that the Hospital identify a space you can work during the interim period and will let you know where that is when I hear back from them.

Carmen M. DiRienzo
917-217-4691

On Sep 11, 2017, at 9:22 AM, Sukert, Aaron <Aaron.Sukert@nlrb.gov> wrote:

Carmen:

That's fine – whatever maximizes attendance by nurses. If there is any way it can be done at 7:00 am rather than 6:30 am, that would be preferable, since I am not certain about traffic driving there; but obviously whatever works best for attendance by nurses.

Would I be able to use a room in between the sessions, to do work in throughout the day?

Thanks for arranging.

-Aaron Sukert

From: Carmen DiRienzo
[<mailto:cdirienzo@carmodyandcarmody.com>]
Sent: Saturday, September 09, 2017 3:05 AM
To: Sukert, Aaron <Aaron.Sukert@nlrb.gov>
Cc: Carmen DiRienzo, Esq. R
<carmen.dirienzo@hotmail.com>; Pincus, Stephen M.
<Stephen.Pincus@nlrb.gov>
Subject: Re: DHSC, LLC, d/b/a Affinity Medical Center, 08-CA-166039, et al. - Reading of the Notice

Thanks, Aaron. I have been in touch with the Hospital. The times available for reservation if the large conference room on Friday the 15th that would allow for attendance by nurses from both shifts would be 6:30am and 2:00 pm.

Would those times work for you?

Carmen M. DiRienzo
917-217-4691

On Sep 8, 2017, at 6:39 PM, Sukert, Aaron
<Aaron.Sukert@nlrb.gov> wrote:

Carmen:

Left you another message as well. If you want to do on next Friday at 7:00 am and I think you said noon that would be fine as well. I was worried re getting there by 7:00 am w traffic but can make it work; otherwise Monday at 7:00 pm or let me know.

If you are flying to Portland have a safe flight.

Thanks ,
Aaron

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From: Sukert, Aaron
Sent: Friday, September 8, 2017 4:30:48 PM
To: Carmen DiRienzo
Cc: Carmen DiRienzo, Esq. R; Pincus, Stephen M.
Subject: RE: DHSC, LLC, d/b/a Affinity Medical Center, 08-CA-166039, et al. - Reading of the Notice

Carmen:

I can do it on this upcoming, Monday, 9/11/17 at 7:00 pm EST. Due to the ten days in the order, it appears it has to be done by 9/15/17 by our computation. The other days will be tied up with the settlement conferences. If we can't do it Monday, then we can see if the Court will permit by mutual agreement, , to do it on 9/18/17; or I can get back to you with another proposal. Call me if you want to discuss about scheduling, or what your times were for Friday, 9/15/17.

Thanks,
Aaron

From: Carmen DiRienzo
[mailto:cdirienzo@carmodyandcarmody.com]
Sent: Friday, September 08, 2017 2:29 PM
To: Sukert, Aaron <Aaron.Sukert@nlrb.gov>
Cc: Carmen DiRienzo, Esq. R
<carmen.dirienzo@hotmail.com>; Pincus, Stephen M. <Stephen.Pincus@nlrb.gov>
Subject: Re: DHSC, LLC, d/b/a Affinity Medical Center, 08-CA-166039, et al. - Reading of the Notice

Aaron, in order to accommodate attendance by nurses from both shifts, the reading should take place near shift change -- approximately 7am or 7pm. Which do you prefer?

Carmen M. DiRienzo
917-217-4691

On Sep 8, 2017, at 2:19 PM, Sukert, Aaron <Aaron.Sukert@nlrb.gov> wrote:

Carmen:
I can do the reading of the notice. I am currently available next Friday, 9/15/17, if that works for you and your client, and other counsel, if you let me know the times; I would have to leave at around 4:00 pm on that date. If not, I can do it on Monday, 9/18/17.

Thanks,
Aaron

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The NLRB strongly encourages all parties to file documents electronically through our online E-File system:

<https://mynlrb.nlr.gov/portal/nlr.pt?open=512&objID=202&mode=2>

The E-file links have been changed to the following:

- E-File
<https://apps.nlr.gov/eservice/efileterm.aspx>
- E-File new Charge/Petition
<https://apps.nlr.gov/eservice/efileterm.aspx?app=chargeandpetition>