

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

PAUL J. MURPHY, Regional Director of the  
Third Region of the National Labor Relations Board,  
for and on behalf of the  
NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

CIVIL NO.  
JL 17 CV 9586

PALMER FISH COMPANY, INC.  
D/B/A PALMER FOOD SERVICES

Respondent

**[PROPOSED] ORDER GRANTING PETITIONER'S MOTION  
TO DETERMINE SECTION 10(j) INJUNCTION PETITION ON  
BASIS OF ADMINISTRATIVE RECORD, AS SUPPLEMENTED BY AFFIDAVITS**

The petition of Paul J. Murphy, Regional Director of the Third Region of the National Labor Relations Board, having been filed pursuant to Section 10(j) of the National Labor Relations Act, as amended, and Petitioner having moved the Court to try this matter on the basis of the administrative record, documentary evidence and briefs submitted to this court by the parties, and good cause appearing therefore, it is hereby **ORDERED** that Petitioner's Motion to Determine Section 10(j) Injunction Petition on Basis of Administrative Record as Supplemented by Affidavits is hereby granted. **IT IS FURTHER ORDERED** that Petitioner file the administrative record, in part, along with a memorandum of law addressing the evidence that supports the Injunction Petition with this Court, by \_\_\_\_\_, 2017 with copies to be served on Respondent, by \_\_\_\_\_, 2017.

**IT IS FURTHER ORDERED** that Respondent file its response to Petitioner's memorandum of law with portions of the administrative record, with the Clerk of this Court, and serve a copy thereof upon Petitioner at his office located at National Labor Relations Board, Third Region, Niagara Center Building, Suite 630, 130 South Elmwood Avenue, Buffalo, New York, 14202, on or before \_\_\_\_\_, 2017.

**IT IS FURTHER ORDERED** that service of a copy of this Order be forthwith made by an agent of the Board, by overnight mail upon Respondent and that proof of such service be filed herein.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, 2017 at Buffalo, New York.

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**UNITED STATES DISTRICT COURT JUDGE**

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

**PAUL J. MURPHY, Regional Director of the  
Third Region of the National Labor Relations Board,  
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NATIONAL LABOR RELATIONS BOARD**

Petitioner

v

CIVIL Case No. **17**

**C V 9586**

**PALMER FISH COMPANY, INC.  
D/B/A PALMER FOOD SERVICES**

Respondent

**(PROPOSED) ORDER**

The petition of Paul J Murphy, Regional Director of the Third Region of the National Labor Relations Board, having been filed pursuant to Section 10(j) of the National Labor Relations Act, as amended, and Petitioner having moved the Court to set this matter for an expedited hearing on Petitioner's request for an injunction, and good cause appearing therefor, it is hereby **ORDERED** that Petitioner's Motion to Shorten Time and for an Expedited Hearing is granted, and,

**IT IS FURTHER ORDERED** that Respondent appear on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_m.; and, or as soon thereafter as counsel may be heard, and then and there show cause, if any there be, why, pending the final disposition of the matters involved herein before the National Labor Relations Board, a preliminary injunction should not issue, enjoining and restraining Respondent, its representatives, agents, servants, employees, attorneys, and all individuals acting in concert or participation with them, as prayed in the aforesaid petition; and,

**IT IS FURTHER ORDERED** that Respondent file an answer to the allegations of said petition with the Clerk of this Court, and serve a copy thereof upon Petitioner at his office located at National Labor Relations Board, Third Region, Niagara Center Building, Suite 630, 130 South Elmwood Avenue, Buffalo, New York, 14202, by or before \_\_\_\_\_ .m. on \_\_\_\_\_, 2017, and,

**IT IS FURTHER ORDERED** that service of a copy of this Order, together with a copy of the petition and exhibits upon which it is issued, be forthwith made by an agent of the Board, by overnight mail upon Respondent by or before \_\_\_\_\_ m. on \_\_\_\_\_, 2017, and that proof of such service be filed herein.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_, New York.

**UNITED STATES DISTRICT COURT JUDGE**