

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
DIVISION OF JUDGES  
NEW YORK BRANCH OFFICE**

**RITE AID OF NEW YORK, INC.  
AND RITE AID OF NEW JERSEY, INC.,  
a Single Employer**

**Respondent**

**02-CA-182713**

**and**

**02-CA-189661**

**1199SEIU UNITED HEALTHCARE  
WORKERS EAST**

**Charging Party**

**Order on the General Counsel's Motion to Dismiss the Complaint**

This case was heard by me on August 31, September 11, 12, 13, and 14, 2017<sup>1</sup> in New York, New York based upon a Complaint issued by the Regional Director, Region 2 on May 31. Further hearing dates were scheduled for November 6, 8, 9, 30, and December 1.

On October 20, the Charging Party Union and the Respondent entered into a non-Board Settlement Agreement. On October 26, pursuant to the terms of the settlement, the Union requested and the Region approved conditional withdrawal of charges 02-CA-182713 and 02-CA-18966.

On November 1, 2017, the General Counsel filed a motion requesting that the Complaint in this matter be dismissed in its entirety, subject to reissuance if the Region reinstates the conditionally withdrawn charges based on evidence that the terms of the private settlement agreement between the parties have not been satisfied. Based on the foregoing, it is hereby

ORDERED that the Complaint is dismissed, and the case is closed, subject to compliance with the terms and conditions of the non-Board Settlement Agreement executed on October 20, and it is further ORDERED that additional proceedings in this matter are cancelled.

Dated this 6<sup>th</sup> day of November, 2017  
at New York, New York.

/s/ Benjamin W. Green  
Benjamin W. Green  
Administrative Law Judge

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<sup>1</sup> All dates herein refer to 2017.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RITE AID OF NEW YORK, INC.  
AND RITE AID OF NEW JERSEY, INC.  
A Single Employer

Respondent

and

Case No. 2-CA-182713  
2-CA-189661

1199SEIU UNITED HEALTHCARE  
WORKERS EAST

Charging Party

Date of emailing November 6, 2017

Affidavit of Service of Order: Order on the General Counsel's Motion to Dismiss the  
Complaint

I, the undersigned employee of the National Labor Relations Board, being duly sworn,  
depose and say that on the date indicated, I served the above entitled document by  
e-mail to the following parties.

Abelovin@levyratner.com

Stephen.silvestri@jacksonlewis.com

Laura.piersonscheinberg@jacksonlewis.com

Nichole.oliver@nlrb.gov

Subscribed and sworn before me this 6<sup>th</sup> day of November 2017

Carlette Davidson

DESIGNATED AGENT  
NLRB, DIVISION OF JUDGES

## Davidson, Carletta

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**From:** Oliver, Nicole  
**To:** Davidson, Carletta  
**Sent:** Monday, November 06, 2017 8:34 AM  
**Subject:** Read:

### Your message

To: Oliver, Nicole  
Subject:  
Sent: Monday, November 6, 2017 8:32:33 AM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, November 6, 2017 8:33:36 AM (UTC-05:00) Eastern Time (US & Canada).

**Davidson, Carletta**

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**From:** Microsoft Outlook  
**To:** STEPHEN.SILVESTRI@JACKSONLEWIS.COM;  
LAURA.PIERSONSCHEINBERG@JACKSONLEWIS.COM  
**Sent:** Monday, November 06, 2017 8:33 AM  
**Subject:** Relayed:

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

STEPHEN.SILVESTRI@JACKSONLEWIS.COM (STEPHEN.SILVESTRI@JACKSONLEWIS.COM)

LAURA.PIERSONSCHEINBERG@JACKSONLEWIS.COM (LAURA.PIERSONSCHEINBERG@JACKSONLEWIS.COM)

**Subject:**

**Davidson, Carletta**

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**From:** Microsoft Outlook  
**To:** ABELOVIN@LEVYRATNER.COM  
**Sent:** Monday, November 06, 2017 8:33 AM  
**Subject:** Relayed:

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

ABELOVIN@LEVYRATNER.COM (ABELOVIN@LEVYRATNER.COM)

**Subject:**

**Davidson, Carletta**

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**From:** Microsoft Outlook  
**To:** Green, Benjamin  
**Sent:** Monday, November 06, 2017 8:40 AM  
**Subject:** Delivered: RITE AID 2-CA-182713

**Your message has been delivered to the following recipients:**

Green, Benjamin (Benjamin.Green@nlrb.gov)

Subject: RITE AID 2-CA-182713