



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 16  
819 Taylor Street, Room 8A24  
Fort Worth, TX 76102-6107

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (817)978-2921  
Fax: (817)978-2928

May 8, 2018

[REDACTED]  
LYON, GORSKY, & GILBERT, L.L.C.  
12001 NORTH CENTRAL EXPRESSWAY,  
SUITE 650  
DALLAS, TX 75243-3781

Re: Cott Beverages, Inc.  
Case No. 16-CA-206068

[REDACTED]  
We have carefully investigated and considered your charge that **Cott Beverages, Inc.** has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at [www.nlr.gov](http://www.nlr.gov) and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **May 22, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than May 21, 2018. **If an appeal is postmarked or given to a delivery service on the due**

**date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the **General Counsel in Washington D.C.** by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before May 22, 2018.** The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after **May 22, 2018, even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/ Timothy L. Watson

TIMOTHY L. WATSON  
REGIONAL DIRECTOR

Enclosure

cc:

  
COTT BEVERAGES, INC.  
15200 TRINITY BOULEVARD  
FORT WORTH, TX 76155-2707

  
INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS, LOCAL 997  
137 SYCAMORE SCHOOL ROAD,  
SUITE 102  
FORT WORTH, TX 76134-5026

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

**Cott Beverages, Inc.**

---

Case Name(s).

**Case No. 16-CA-206068**

---

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

---

*(Signature)*