

**UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
REGION 8**

**LIBERTY RETIREMENT COMMUNITY OF LIMA, INC.,  
LIBERTY HEALTH CARE CORP.,  
LIBERTY RETIREMENT PROPERTIES OF LIMA LTD.,  
LIBERTY VILLAS OF LIMA, INC., AND  
LIBERTY NURSING PROPERTIES OF WOODLAND  
MANOR, LTD., A SINGLE EMPLOYER AND**

**PLUS MANAGEMENT SERVICES, INC. D/B/A  
BATON ROUGE MEDICAL AND REHAB CENTER OF LIMA,**

**JOINT EMPLOYERS**

**and**

**Cases**

**08-CA-198572**

**08-CA-201287**

**AMERICAN FEDERATION OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES, AFL-CIO, OHIO COUNCIL 8**

**GENERAL COUNSEL'S RESPONSE TO  
JOINT MOTION FOR APPOINTMENT OF A SETTLEMENT JUDGE**

Pursuant to Section 102.35(b) of the Rules and Regulations of the National Labor Relations Board (the "Board's Rules"), Counsel for the General Counsel ("General Counsel") files this Response to the Joint Motion for Appointment of a Settlement Judge.

While the General Counsel does not object to the appointment of a settlement judge, the General Counsel notes that it is not in agreement with the characterization of the status of the settlement negotiations represented in the Motion. Specifically, the General Counsel disagrees with the statement that "the parties remain apart on only one discrete issue, that being the amount of backpay appropriate in the instant matter."<sup>1</sup> The General Counsel believes that the parties are significantly far apart on settlement, particularly with respect to backpay and the form that the

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<sup>1</sup> Joint Motion at P. 2, item #3.

settlement may take. Due to the nature of the allegations contained in the Consolidated Complaint, the General Counsel seeks an informal settlement agreement and Notice to Employees, as described in the National Labor Relations Board's Statements of Procedure, Sections 101.7 and 101.9(b)(2).

Dated at Cleveland, Ohio this 16th day of August 2018.

*/s/ Cheryl Sizemore*

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Cheryl Sizemore  
Field Attorney  
NATIONAL LABOR RELATIONS BOARD  
REGION 08  
1240 E 9TH ST, STE 1695  
CLEVELAND, OH 44199-2086  
[cheryl.sizemore@nlrb.gov](mailto:cheryl.sizemore@nlrb.gov)

## CERTIFICATE OF SERVICE

I hereby certify that a copy of GENERAL COUNSEL'S RESPONSE TO JOINT MOTION FOR APPOINTMENT OF A SETTLEMENT JUDGE, Case 08-CA-198572; 08-CA-201287, was served by E-Filing and E-Mail on this 16th day of August, 2018 on the following:

***Via E-Filing:***

Division of Judges  
National Labor Relations Board  
1099 14<sup>th</sup> Street, N.W.  
Washington, D.C. 20570

***Via E-Mail:***

Michelle R. Evans,  
Associate General Counsel  
Ohio Council 8, AFSCME, AFL-CIO  
6800 North High Street  
Worthington, Ohio 43085-2512  
(614) 841-1918  
[mevans@afscme8.org](mailto:mevans@afscme8.org)

James Allen, Esq.  
National Labor Relations Advocates  
312 Walnut Street, Suite 1600  
Cincinnati, OH 45202  
(513) 646-6472  
[jallen@nradvocates.com](mailto:jallen@nradvocates.com)

Terrence G. Stolly (#0073266)  
Melissa A. Marino (#0090569)  
1111 Rush Avenue, P.O. Box 68  
Bellefontaine, Ohio 43311  
Telephone: (937)593-6065  
Facsimile: (937)593-9978  
[tstolly@tdhlaw.com](mailto:tstolly@tdhlaw.com)  
[mmarino@tdhlaw.com](mailto:mmarino@tdhlaw.com)

*/s/ Cheryl Sizemore*

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Cheryl Sizemore  
Field Attorney  
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CLEVELAND, OH 44199-2086  
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