

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**ALLEN BINSTOCK,
REGIONAL DIRECTOR OF REGION 8
OF THE NATIONAL LABOR RELATIONS
BOARD, FOR AND ON BEHALF OF THE
NATIONAL LABOR RELATIONS BOARD**

PETITIONER

JUDGE SOLOMON OLIVER, JR.

v.

CIVIL CASE NO. 1:18-cv-02793-SO

**HERCULES FIRE PROTECTION &
PLUMBING, LLC**

RESPONDENT

VOLUNTARY DISMISSAL OF PETITION

Counsel for the Petitioner, Allen Binstock, Regional Director for Region 8 of the National Labor Relations Board (Board), respectfully moves for voluntary dismissal of this case pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. In support thereof, Petitioner states as follows:

1. On December 4, 2018, the Petitioner filed with this Court, a Petition for Injunction under Section 10(j) of the National Labor Relations Act, 29 U.S.C. §160(j). (Petition).
2. On December 13, 2018, Petitioner, Respondent, and the Charging Party, who filed the unfair labor practice charge, entered into an Informal Board Settlement Agreement (Settlement Agreement) resolving all of the allegations in the underlying unfair labor practice case. The Settlement Agreement fully remedies the alleged unfair labor practices.

3. Respondent's compliance with its obligations under the Settlement Agreement will extinguish the Petitioner's need for interim injunctive relief. Therefore, Petitioner now seeks voluntary dismissal of the matter before this Court.

4. Respondent's representative in the underlying administrative proceeding was notified on December 14, 2018 of the Petitioner's intent to file this voluntary motion for dismissal and has no objections.

5. Accordingly, the Petitioner submits that its request for voluntary dismissal is proper and respectfully moves this Court to grant its Motion to Voluntarily Dismiss the Petition.

Dated at Cleveland, Ohio, this 19th day of December 2018.

Respectfully submitted,

/s/ Allen Binstock (consent)

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CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and served this document to the individuals below by electronic mail.

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