UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PROHIBITION BRANDS, INC.

and Case 19-CA-221090

MONICA KAREN LOWE, an Individual

MOTION FOR DEFAULT JUDGMENT

Comes now Counsel for the General Counsel (the "General Counsel") of the National Labor Relations Board (the "Board") and files this Motion for Default Judgment pursuant to § 102.24(b) of the Rules and Regulations of the Board, as revised, as there are no genuine issues of material fact in dispute and the General Counsel is entitled to judgment as a matter of law. In support of this Motion, the General Counsel submits the following.

1. On May 29, 2018, Monica Karen Lowe ("Lowe"), an Individual, filed an unfair labor practice charge alleging that Prohibition Brands, Inc. ("Respondent"), had violated § 8(a)(1) of the Act. That charge was served on Respondent by regular mail on or about May 30, 2018. Copies of the charge and the affidavit of service are attached as Exhibits 1(a) and 1(b), respectively.

2. On September 10, 2018, Lowe filed an amended unfair labor practice charge alleging that Respondent had violated § 8(a)(1) of the Act. That amended charge was served on Respondent by regular mail on or about September 11, 2018. Copies of the charge and the affidavit of service are attached as Exhibits 2(a) and 2(b), respectively.

3. Following an investigation of the charge, as amended (the "charge"), the Regional Director for Region 19 issued a Complaint and Notice of Hearing ("Complaint") in this matter on November 15, 2018, alleging that Respondent had violated § 8(a)(1) of the Act. On November 15, 2018, the Region attempted to

serve the Complaint on Respondent, at its business address, by certified mail. The Complaint and affidavit of service are attached as Exhibits 3(a) and 3(b), respectively.

3. As set forth in the Complaint, Respondent's Answer to the Complaint was due to be received in the Regional Office on or before November 29, 2018. No Answer was received.

4. On December 4, 2018, the Region sent a letter to Respondent by United States Postal Service first class mail and by electronic mail, at the physical and electronic addresses for Respondent's business. This letter notified Respondent that it had failed to submit an Answer in response to the Complaint and the significance of that failure. The letter provided Respondent with additional time until December 11, 2018, to file its Answer. A copy of the December 4, 2018, letter is attached as Exhibit 4.

4. On or about December 11, 2018, the Region learned from the website for the United States Postal Service that, despite having been sent to Respondent's correct address listed for its office in Arlington, Washington, the Complaint could not be delivered as addressed, and that it was being returned to the Regional Office. The notification from the United States Postal Service is attached as Exhibit 5.

5. On December 13, 2018, a copy of the Complaint, with a cover letter, was sent to Respondent by United States Postal Service first class mail and by electronic mail at the physical and electronic addresses listed for Respondent's registered agent on the Annual Report filed with the Secretary of State's Corporations and Charities Division for the State of Washington (the "Annual Report"). The cover letter provided Respondent with additional time, until December 27, 2018, to file its Answer. Copies of the Annual Report, and cover letter with Complaint are attached as Exhibits 6, and 7(a) and 7(b), respectively.

6. To date, Respondent has failed and/or refused to file an Answer to the Complaint.

On the basis of the foregoing and the exhibits attached hereto, it is respectfully submitted that the pleadings in the instant case raise no material issues of fact, that Respondent submitted no Answer or defense for the acts alleged in the Complaint, that no hearing is necessary in this matter, and that it is appropriate for the Board to issue a Decision and Order without further proceedings. Thus, it is respectfully

requested that the Board make findings of fact and conclusions of law, finding that Respondent's conduct violated § 8(a)(1) of the Act as alleged in the Complaint.

WHEREFORE, as the remedy for Respondent's unfair labor practices as alleged in the Complaint, the General Counsel requests that the Board issue the proposed Order and Notice to Employees, which are attached as Exhibits 8(a) and 8(b), respectively, and/or that the Board issue any other order and/or remedy deemed appropriate.

DATED at Seattle, Washington, this 8th day of January, 2019.

Respectfully submitted,

Helena A. Fiorianti
Counsel for the General Counsel
National Labor Relations Board – Region 19
915 2nd Avenue, Suite 2948
Seattle, WA 98147
Phone (206) 220-6292
Fax (206) 220-6305
Helena.Fiorianti@nlrb.gov

FORM EXEMPT UNDER 44 U.S.C. 3512

INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 19-CA-221090	Date Filed 5/29/2018

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Prohibition Brands	b. Tel. No. c. Cell No. 206-601-0095 f. Fax No. g. e-Mail info@prohibitionbrands.com h. Number of workers employed approx 20
d. Address (Street, city, state, and ZIP code) 19805 74th Ave, Arlington WA 98223	e. Employer Representative Brian Lacruangroch
i. Type of Establishment (factory, mine, wholesaler, etc.) cannabis processor/producer	j. Identify principal product or service pre-rolled cannabis products for resale

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the last three months the above mentioned employer has retaliated against Monica Lowe by discharging her on May 29, 2018 because of engaging in protected concerted activities including raising issues about paychecks.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Monica Karen Lowe

4a. Address (Street and number, city, state, and ZIP code) 1622 Oakes Ave, Everett WA 98201	4b. Tel. No. 4c. Cell No. 510-331-0677 4d. Fax No. 4e. e-Mail craftwich@frontier.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By [signature] Monica Lowe
(Signature of representative or person making charge) (Print/type name and title or office, if any)

Address 1622 Oakes Ave, Everett WA 98201 5-29-2018 (date)

Tel. No.	
Office, if any, Cell No. 510-331-0677	
Fax No.	
e-Mail craftwich@frontier.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Exhibit: 1(a)

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

PROHIBITION BRANDS Charged Party and **MONICA KAREN LOWE** Charging Party	**Case 19-CA-221090**

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on May 30, 2018, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

BRIAN LAORUANGROCH
PROHIBITION BRANDS
19805 74TH AVE NE
ARLINGTON, WA 98223-5021

May 30, 2018
Date

Dennis Snook, Designated Agent of NLRB
Name

/s/Leila Uomoto
Signature

Exhibit: 1(b)

FORM NLRB-501
(2-10)

1st Amended

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
19-CA-221090	9-10-2018

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Prohibition Brands	b. Tel. No. c. Cell No. 206-601-0095 f. Fax. No.
d. Address (Street, city, state, and ZIP code) 19805 74th Ave. Arlington, WA 98223	e. Employer Representative Brian Laoruangroch g. e-mail info@prohibitionbrands.com h. Number of workers employed approx 20
i. Type of Establishment (factory, mine, wholesaler, etc.) Cannabis processor	j. Identify principal product or service pre-rolled cannabis products for resale

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)
On or about May 29, 2018, the Employer terminated Monica Karen Lowe and Aubrey Van Asschie in retaliation for their protected concerted activities including because they raised issues about problems with paychecks with the Employer and because Lowe advised employees about employment rights including sick leave.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Monica Karen Lowe

4a. Address (Street and number, city, state, and ZIP code) 1622 Oakes Ave. Everett, WA 98201	4b. Tel. No. 510-331-0677 4c. Cell No. 4d. Fax No. 4e. e-mail craftwich@frontier.com

6. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

5. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. (Signature of representative or person making charge) — Monica Karen Lowe (Print/type name and title or office, if any) Address 1622 Oakes Ave. Everett, WA 98201 — Date 9-7-18	Tel. No. 510-331-0677 Office, if any, Cell No. Fax No. e-mail craftwich@frontier.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Exhibit: 2(a)

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

PROHIBITION BRANDS Charged Party and **MONICA KAREN LOWE** Charging Party	**Case 19-CA-221090**

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on September 11, 2018, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Brian Laoruangroch
Prohibition Brands
19805 74th Ave NE
Arlington, WA 98223-5021

September 11, 2018
Date

Dennis Snook, Designated Agent of NLRB
Name

/s/Gabriel Lyengard
Signature

Exhibit: 2(b)

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19

PROHIBITION BRANDS INC.

and

Case 19-CA-221090

MONICA KAREN LOWE, an Individual

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by Monica Karen Lowe, an Individual (Charging Party). It is issued pursuant to § 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 *et seq.*, and § 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board), and alleges that Prohibition Brands Inc. (Respondent) has violated the Act as described below.

1.

(a) The charge in this proceeding was filed by the Charging Party on May 29, 2018, and a copy was served on Respondent by U.S. mail on about May 30, 2018.

(b) The amended charge in this proceeding was filed by the Charging Party on September 10, 2018, and a copy was served on Respondent by U.S. mail on about September 11, 2018.

2.

(a) Respondent, a State of Washington State corporation with an office and place of business in Arlington, Washington (the facility), is engaged in the business of packaging and processing cannabis for sale to retail establishments in the State of Washington.

Exhibit: 3(a)

(b) In conducting its operations described above in paragraph 2(a) during the past twelve months, which period is representative of all material times, Respondent derived gross revenues in excess of $50,000.

(c) In conducting its operations described above in paragraph 2(a) during the past twelve months, which period is representative of all material times, Respondent purchased and received at the facility goods valued in excess of $5,000 directly from points outside the State of Washington.

(d) Respondent has been at all material times an employer engaged in commerce within the meaning of §§ 2(2), (6) and (7) of the Act.

3.

At all material times the following individuals have held the positions set forth opposite their respective names and have been supervisors within the meaning of § 2(11) of the Act, and/or agents within the meaning of § 2(13) of the Act, acting on behalf of Respondent:

Brian Lee Laoruangroch	-	Owner/President
Megan Roe	-	Manager

4.

(a) From about April through May 2018, Respondent's employees Monica Karen Lowe, and Aubrey Van Assche engaged in activities for the purpose of mutual aid and protection of Respondent's employees by concertedly complaining to Respondent's managers Laoruangroch and Roe about defective paychecks.

(b) From about May 22, 2018, to about May 29, 2018, Respondent's employees Monica Karen Lowe and Aubrey Van Assche engaged in activities for the purpose of mutual aid and protection of Respondent's employees by posting comments

about working conditions; specifically about Respondent's defective paychecks and Respondent's non-compliance with Washington State sick leave laws on a Facebook chat.

(c) On or before May 29, 2018, Respondent learned that its employees Monica Karen Lowe and Aubrey Van Assche had engaged in the concerted activities described above in paragraph 4(b).

(d) On or about May 29, 2018, Respondent discharged its employees Monica Karen Lowe and Aubrey Van Assche.

(e) Respondent engaged in the conduct described above in paragraph 4(d) because its employees Monica Karen Lowe and Aubrey Van Assche engaged in the conduct described above in paragraphs 4(a) and 4(b) and to discourage employees from engaging in these or other protected, concerted activities.

5.

By the conduct described above in paragraph 4, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in § 7 of the Act in violation of § 8(a)(1) of the Act.

6.

The unfair labor practices of Respondent described above affect commerce within the meaning of §§ 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to §§ 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before November 29, 2018, or postmarked on or**

before November 28, 2018. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. *See* § 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed

untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT at **9 a.m.** on **the 5th day of March, 2019,** in the James C. Sand Hearing Room of the Jackson Federal Building, 915 2nd Avenue, 29th Floor, Seattle, Washington, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Seattle, Washington, this 15th day of November, 2018.

RK Hooks

RONALD K. HOOKS
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 19
915 2nd Ave., Ste. 2948
Seattle, WA 98174-1006

Attachments

Form NLRB-4668
(6-2014)

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlrb.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- Special Needs: If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.

- Pre-hearing Conference: One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- Witnesses and Evidence: At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.

- **Exhibits: Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered.**

(OVER)

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- Transcripts: An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.

- Oral Argument: You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.

- Date for Filing Post-Hearing Brief: Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- Extension of Time for Filing Brief with the ALJ: If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.

- ALJ's Decision: In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.

- Exceptions to the ALJ's Decision: The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

FORM NLRB 4338
(6-90)

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

NOTICE

Case 19-CA-221090

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

(1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).

(2) Grounds must be set forth in ***detail***;

(3) Alternative dates for any rescheduled hearing must be given;

(4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and

(5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

CERTIFIED MAIL NO.
7018 0360 0000 6458 1252

BRIAN LAORUANGROCH
PROHIBITION BRANDS
19805 74TH AVE NE
ARLINGTON, WA 98223-5021

FIRST CLASS MAIL

MONICA KAREN LOWE
1622 OAKES AVE
EVERETT, WA 98201-2052

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19

PROHIBITION BRANDS INC. **and** **MONICA KAREN LOWE, an Individual**	**Case 19-CA-221090**

AFFIDAVIT OF SERVICE OF: COMPLAINT AND NOTICE OF HEARING (WITH FORMS NLRB-4338 AND NLRB-4668 ATTACHED).

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on November 15, 2018, I served the above-entitled document(s) by **certified or First Class mail,** as noted below, upon the following persons, addressed to them at the following addresses:

CERTIFIED MAIL NO.
7018 0360 0000 6458 1252

BRIAN LAORUANGROCH
PROHIBITION BRANDS
19805 74TH AVE NE
ARLINGTON, WA 98223-5021

FIRST CLASS MAIL

MONICA KAREN LOWE
1622 OAKES AVE
EVERETT, WA 98201-2052

November 15, 2018.

Date

/s/ DENNIS SNOOK
Dennis Snook, Designated Agent of NLRB
Name

/s/ KATHLYN L. MILLS
Kathlyn L. Mills, Secretary
Signature

Exhibit: 3(b)

FORM NLRB 4338
(6-90)

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

NOTICE

Case 19-CA-221090

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

(1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).

(2) Grounds must be set forth in ***detail***;

(3) Alternative dates for any rescheduled hearing must be given;

(4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and

(5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

CERTIFIED MAIL NO.
7018 0360 0000 6458 1252

BRIAN LAORUANGROCH
PROHIBITION BRANDS
19805 74TH AVE NE
ARLINGTON, WA 98223-5021

FIRST CLASS MAIL

MONICA KAREN LOWE
1622 OAKES AVE
EVERETT, WA 98201-2052

Form NLRB-4668
(6-2014)

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlrb.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.

- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.

- **Exhibits: Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered**

(OVER)

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts**: An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.

- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.

- **Date for Filing Post-Hearing Brief**: Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.

- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.

- **Exceptions to the ALJ's Decision**: The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

Fiorianti, Helena A.

From:	Fiorianti, Helena A.
Sent:	Tuesday, December 04, 2018 11:52 AM
To:	'info@prohibitionbrands.com'
Subject:	Prohibition Brands, Inc. -NLRB Case No. 19-CA-221090
Attachments:	Letter threatening Default Judgment.pdf
Importance:	High

Dear Mr. Laoruangroch:

Please see the attached letter. If you have any questions, please contact me.

Thank you,

Helena A. Fiorianti, Field Attorney
National Labor Relations Board, Region 19
Henry M. Jackson Federal Building
915 2nd Avenue, Suite 2948
Seattle, WA 98174
P (206) 220-6292 | F (206) 220-6305
C (202) 701-6709

The NLRB strongly encourages all parties to file documents electronically through our online E-file system:
Documents: https://apps.nlrb.gov/eservice/efileterm.aspx
New Charge/Petition: https://apps.nlrb.gov/eservice/efileterm.aspx?app=chargeandpetition

Exhibit: 4

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Agency Website:
www.nlrb.gov
Telephone: (206) 220-6300
Fax: (206) 220-6305

December 4, 2018

VIA U.S. MAIL & ELECTRONIC MAIL
Prohibition Brands, Inc.
Attn.: Brian Laoruangroch, Owner/President
19805 74th Ave NE
Arlington, WA 98223-5021

Re: Prohibition Brands, Inc.
Case No. 19-CA-221090

Dear Mr. Laoruangroch:

As you are aware, a Complaint and Notice of Hearing issued in this case on November 15, 2018. The Complaint required an answer by November 29, 2018. To date no such answer has been received nor has there been any communication asking for an extension in the due date.

If an answer has not been received in this office, either by electronic filing or by regular mail, by the close of business on Tuesday, December 11, 2018, I will file a motion for default judgment with the NLRB in Washington, D.C. If you have any questions, please call me at (206) 220-6292.

Very truly yours,

Helena A. Fiorianti
Counsel for the General Counsel

USPS Tracking®

FAQs > (https://www.usps.com/faqs/uspstracking-faqs.htm)

Track Another Package +

Tracking Number: 70180360000064581252

Remove X

Your item was returned to the sender on December 11, 2018 at 2:10 pm in ARLINGTON, WA 98223 because it could not be delivered as addressed.

Alert

December 11, 2018 at 2:10 pm
Return to Sender
ARLINGTON, WA 98223

Feedback

Text & Email Updates

Select what types of updates you'd like to receive and how. Send me a notification for:

Text	Email	
☐	☐	All Below Updates
☐	☐	Expected Delivery Updates ⓘ
☐	☐	Day of Delivery Updates ⓘ
☐	☐	Package Delivered ⓘ
☐	☐	Available for Pickup ⓘ

Exhibit: 5

☐ Delivery Exception Updates ⓘ

☐ Package In-Transit Updates ⓘ

Tracking History

December 11, 2018, 2:10 pm
Return to Sender
ARLINGTON, WA 98223
Your item was returned to the sender on December 11, 2018 at 2:10 pm in ARLINGTON, WA 98223 because it could not be delivered as addressed.

Reminder to Schedule Redelivery of your item

November 17, 2018
In Transit to Next Facility

November 17, 2018, 11:40 am
Notice Left (No Authorized Recipient Available)
ARLINGTON, WA 98223

November 16, 2018, 7:28 pm
Departed USPS Regional Facility
SEATTLE WA DISTRIBUTION CENTER

November 15, 2018, 10:20 pm
Arrived at USPS Regional Facility
SEATTLE WA DISTRIBUTION CENTER

Feedback

Product Information

See Less

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)

Feedback

The easiest tracking number is the one you don't have to know.

With Informed Delivery®, you never have to type in another tracking number. Sign up to:

- See images* of incoming mail.
- Automatically track the packages you're expecting.
- Set up email and text alerts so you don't need to enter tracking numbers.
- Enter USPS Delivery Instructions™ for your mail carrier.

Sign Up

(https://reg.usps.com/entreg/RegistrationAction_input?

*NOTE: Black and white (grayscale) images show the outside, front of letter-sized envelopes and mailpieces that are processed through USPS automated equipment.

app=UspsTools&appURL=https%3A%2F%2Ftools.usps.com%2Fg

Office of the Secretary of State
Corporations & Charities Division

Filed
Secretary of State
State of Washington
Date Filed: 11/13/2018
Effective Date: 11/13/2018
UBI #: 603 330 333

Annual Report

BUSINESS INFORMATION

Business Name:
PROHIBITION BRANDS INC

UBI Number:
603 330 333

Business Type:
WA PROFIT CORPORATION

Business Status:
ACTIVE

Principal Office Street Address:
19805 74TH AVE NE, ARLINGTON, WA, 98223, UNITED STATES

Principal Office Mailing Address:

Expiration Date:
09/30/2019

Jurisdiction:
UNITED STATES, WASHINGTON

Formation/Registration Date:
09/01/2013

Period of Duration:
PERPETUAL

Inactive Date:

Nature of Business:
ANY LAWFUL PURPOSE

REGISTERED AGENT RCW 23.95.410

Registered Agent Name	Street Address	Mailing Address
PRESIDENT	2720 4TH AVE APT 1101, SEATTLE, WA, 98121-1889, UNITED STATES	2720 4TH AVE APT 1101, SEATTLE, WA, 98121-1889, UNITED STATES

PRINCIPAL OFFICE

Phone:

Email:
BRJANLEE@GMAIL.COM

Street Address:

19805 74TH AVE NE, ARLINGTON, WA, 98223, USA
Mailing Address:

GOVERNORS

Title	Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		BRIAN	LAORUANGROCH

NATURE OF BUSINESS

- ANY LAWFUL PURPOSE

EFFECTIVE DATE

Effective Date:
11/13/2018

CONTROLLING INTEREST

1. Does your company own real property (including leasehold interests) in Washington?
NO
2. Has there been a transfer of stock, other financial interest change, or an option agreement exercised during the last 12 months that resulted in a transfer of controlling interest?
NO
3. Has an option agreement been executed in the last 12 months allowing for the future purchase or acquisition of the entity, that, if exercised would result in a transfer of controlling interest?
NO

You must contact the Washington State Department of Revenue to report a Controlling Interest Transfer **IF**:
* This company owns land, buildings or other real estate in Washington State,
AND
* Answered "YES" to questions 2 or 3 above.

Failure to report a Controlling Interest Transfer is subject to penalty provisions of RCW 82.45.220.
For more information on **Controlling Interest**, please call the Department of Revenue at (360) 534-1503, option 1, or visit www.dor.wa.gov/REET

RETURN ADDRESS FOR THIS FILING

Attention:
BRIAN LAORUANGROCH
Email:
BRJANLEE@GMAIL.COM
Address:
2720 4TH AVE, 1101, SEATTLE, WA, 98121-1889, USA

UPLOAD ADDITIONAL DOCUMENTS

Do you have additional documents to upload? **No**

EMAIL OPT-IN

☑ By checking this box, I hereby opt into receiving all notifications from the Secretary of State for this entity via email only. I acknowledge that I will no longer receive paper notifications.

AUTHORIZED PERSON

☑ I am an authorized person.

Person Type:
ENTITY

First Name:
BRIAN

Last Name:
LAORUANGROCH

Entity Name:
PROHIBITION BRANDS

Title:
PRESIDENT

☑ This document is hereby executed under penalty of law and is to the best of my knowledge, true and correct.

Fiorianti, Helena A.

From:	Fiorianti, Helena A.
Sent:	Thursday, December 13, 2018 8:23 AM
To:	BRJANLEE@gmail.com
Subject:	Prohibition Brands, Inc. Case No. 19-CA-221090
Attachments:	Ltr including CPT, new Answer date.pdf; CPT.19-CA-221090.CPT and NHR dated 11-15-18. (1).pdf
Importance:	High
NxGen:	Uploaded

Dear Mr. Laoruangroch:

Please see the attached letter, and Complaint and Notice of Hearing. If you have any questions, please do not hesitate to contact me.

Thank you,

Helena A. Fiorianti, Field Attorney
National Labor Relations Board, Region 19
Henry M. Jackson Federal Building
915 2nd Avenue, Suite 2948
Seattle, WA 98174
P (206) 220-6292 | F (206) 220-6305
C (202) 701-6709

The NLRB strongly encourages all parties to file documents electronically through our online E-file system:
Documents: https://apps.nlrb.gov/eservice/efileterm.aspx
New Charge/Petition: https://apps.nlrb.gov/eservice/efileterm.aspx?app=chargeandpetition

Exhibit: 7(a)

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Agency Website:
www.nlrb.gov
Telephone: (206) 220-6300
Fax: (206) 220-6305

December 13, 2018

VIA U.S. MAIL & ELECTRONIC MAIL AT
BRJANLEE@GMAIL.COM
Prohibition Brands, Inc.
Attn.: Brian Laoruangroch, President
2720 4th Avenue, Apt 1101
Seattle, WA 98121-1889

Re: Prohibition Brands, Inc.
Case No. 19-CA-221090

Dear Mr. Laoruangroch:

On November 15, 2018, a copy of the Complaint and Notice of Hearing that issued in this case was sent to your business address (19805 74th Avenue NE, Arlington, WA 98223) by certified mail. We received notice that delivery was attempted, but no authorized recipient was available.

As you will see from the enclosed copy of the Complaint and Notice of Hearing, an answer to the allegations in the Complaint was due in this office on or before November 29, 2018. To date, no such answer has been received nor has there been any communication asking for an extension in the due date. Please submit an answer to the allegations in the enclosed Complaint by no later than **Thursday, December 27, 2018**.

If an answer has not been received in this office, either by electronic filing or by regular mail, by the close of business on **Thursday, December 27, 2018**, I will file a motion for default judgment with the NLRB in Washington, D.C. If you have any questions, please call me at (206) 220-6292.

Very truly yours,

Helena A. Fiorianti
Counsel for the General Counsel

Enc.

about working conditions, specifically about Respondent's defective paychecks and Respondent's non-compliance with Washington State sick leave laws on a Facebook chat.

(c) On or before May 29, 2018, Respondent learned that its employees Monica Karen Lowe and Aubrey Van Assche had engaged in the concerted activities described above in paragraph 4(b).

(d) On or about May 29, 2018, Respondent discharged its employees Monica Karen Lowe and Aubrey Van Assche.

(e) Respondent engaged in the conduct described above in paragraph 4(d) because its employees Monica Karen Lowe and Aubrey Van Assche engaged in the conduct described above in paragraphs 4(a) and 4(b) and to discourage employees from engaging in these or other protected, concerted activities.

5.

By the conduct described above in paragraph 4, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in § 7 of the Act in violation of § 8(a)(1) of the Act.

6.

The unfair labor practices of Respondent described above affect commerce within the meaning of §§ 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to §§ 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before November 29, 2018, or postmarked on or**

before November 28, 2018. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on **E-File Documents,** enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. *See* § 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed

untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT at **9 a.m.** on **the 5th day of March, 2019,** in the James C. Sand Hearing Room of the Jackson Federal Building, 915 2nd Avenue, 29th Floor, Seattle, Washington, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Seattle, Washington, this 15th day of November, 2018.

RK Hooks

RONALD K. HOOKS
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 19
915 2nd Ave., Ste. 2948
Seattle, WA 98174-1006

Attachments

Form NLRB-4668
(6-2014)

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlrb.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- Special Needs: If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.

- Pre-hearing Conference: One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

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The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- Witnesses and Evidence: At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.

- **Exhibits: Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered**

(OVER)

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

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- **Oral Argument**: You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.

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- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.

- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.

- **Exceptions to the ALJ's Decision**: The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

FORM NLRB 4338
(6-90)

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

NOTICE

Case 19-CA-221090

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

(1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).

(2) Grounds must be set forth in ***detail***;

(3) Alternative dates for any rescheduled hearing must be given;

(4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and

(5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

CERTIFIED MAIL NO.
7018 0360 0000 6458 1252

BRIAN LAORUANGROCH
PROHIBITION BRANDS
19805 74TH AVE NE
ARLINGTON, WA 98223-5021

FIRST CLASS MAIL

MONICA KAREN LOWE
1622 OAKES AVE
EVERETT, WA 98201-2052

ORDER

The National Labor Relations Board hereby orders that the Respondent, Prohibition Brands, Inc., its officers, agents, successors, and assigns, shall:

1. Cease and desist from

(a) Firing its employees because they bring issues and complaints on behalf of themselves and other employees regarding their terms and conditions of employment; and

(b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

(a) Within 14 days from the date of the Board's Order, offer employees Monica Karen Lowe and Aubrey Van Assche reinstatement to their former jobs or, if those jobs no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights and/or privileges previously enjoyed;

(b) Make employees Monica Karen Lowe and Aubrey Van Assche whole for any loss of earnings and other benefits suffered as a result of Respondent firing them;

(c) Remove from Respondent's files, all references to the firing of Monica Karen Lowe and Aubrey Van Assche and notify them in writing that this has been done and that the firing will not be used against them in any way;

(d) Within 14 days after service by the Region, post at its Arlington, Washington facility, or any facility that it has moved to since November of 2017, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 19, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since November 29, 2017; and

(e) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that Respondent has taken to comply with this Order.

(To be printed and posted on official Board notice form)

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

YOU HAVE THE RIGHT to freely bring issues on behalf of yourself and other employees to us regarding your terms and conditions of employment, including faulty paychecks and Washington state sick leave rights, and **WE WILL NOT** do anything to interfere with your exercise of that right.

WE WILL NOT fire you because you exercise your right to bring issues and complaints about your terms and conditions of employment to us on behalf of yourself and other employees.

WE WILL offer Monica Karen Lowe and Aubrey Van Assche immediate and full reinstatement to their former jobs or, if those jobs no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights and/or privileges previously enjoyed.

WE WILL pay Monica Karen Lowe and Aubrey Van Assche for the wages and other benefits they lost because we fired them.

WE WILL remove from our files all references to the discharge of Monica Karen Lowe and Aubrey Van Assche and **WE WILL** notify them in writing that this has been done and that the discharge will not be used against them in any way.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

Prohibition Brands, Inc.
(Employer)

Dated: _____ **By:** _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-

free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at https://www.federalrelay.us/tty (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Telephone: (206)220-6300
Hours of Operation: 8:15 a.m. to 4:45 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

Form NLRB-4668
(6-2014)

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19

PROHIBITION BRANDS INC. **and** **MONICA KAREN LOWE, an Individual**	**Case 19-CA-221090**

AFFIDAVIT OF SERVICE OF: MOTION FOR DEFAULT JUDGMENT.

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on January 8, 2019, I served the above-entitled document(s) by **E-FILE, certified, and e-mail** as noted below, upon the following persons, addressed to them at the following addresses:

VIA E-FILE

ROXANE ROTHCHILD
EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS
BOARD, Room 5100
1015 HALF STREET SE
WASHINGTON, D.C. 20570

CERTIFIED MAIL NO.
7018 0360 0000 6458 1313

PROHIBITION BRANDS, INC.
Attn: BRIAN LAORUANGROCH, PRESIDENT
19805 74TH AVE NE
ARLINGTON, WA 98223-5021
info@prohibitionbrands.com

CERTIFIED MAIL NO.
7018 0360 0000 6458 1337

PROHIBITION BRANDS, INC.
ATTN: BRIAN LAORUANGROCH,
PRESIDENT
2720 4TH AVENUE, APT. 1101
SEATTLE, WASHINGTON 98121-1889
BRIANLEE@gmail.com

CERTIFIED MAIL NO.
FIRST CLASS MAIL
7018 0360 0000 6458 1320

MONICA KAREN LOWE
1622 OAKES AVE
EVERETT, WA 98201-2052
craftwich@frontier.com

January 8, 2019.
Date

/s/ DENNIS SNOOK
Dennis Snook, Designated Agent of NLRB
Name

Kathlyn L. Mills, Secretary
Signature

(OVER)