

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

DOLLAR THRIFTY AUTO GROUP

and

Case 27-CA-173054

**COMMUNICATIONS WORKERS OF AMERICA,
LOCAL 7777**

**COUNSEL FOR THE GENERAL COUNSEL'S
MOTION TO WITHDRAW ALLEGATIONS FROM CONSOLIDATED COMPLAINT**

On January 7, 2019, the Board remanded this matter to Administrative Law Judge Amita Baman Tracy for the purpose of reopening the record, if necessary, and the preparation of a supplemental decision addressing the complaint allegations affected by *The Boeing Co.*, 365 NLRB No. 154 (2017) and setting forth credibility resolutions, findings of fact, conclusions of law, and a recommended Order.

Pursuant to Section 102.17 of the Board's Rules and Regulations, as an act of prosecutorial discretion, the General Counsel moves to withdraw the following allegations from Consolidated Complaint Paragraphs in their entirety:

3(b) Action to Disrupt Harmony – Rule #9

3(c) Leading or Participating – Rule #26

3(e) Obligation to Protect Confidential Information – Rule #23

3(f) Internet Websites

3(k) Divulging Information - Rule #3

3(l) Specific Authorization – Rule #4

3(m) Intentionally Seeking Information – Rule #7

3(n) Other Inappropriate Use

3(q) Electronic Communications Policy

Counsel for the General Counsel further MOVES TO WITHDRAW only the following portion of Paragraph 3(d), the underlined portions of which the General Counsel now considers to be lawful:

Paragraph 3(d): Personally Identifiable Data

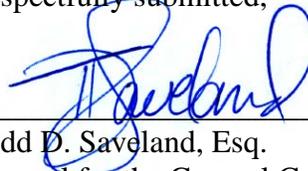
Hertz Information and Security Statement and Confidentiality Agreement for Hertz Employees: “Hertz Confidential Information” means each of the following types of information: (i) information that is labeled, or that other Company policies and procedures specifically classify as “secret,” “confidential,” or “proprietary,” including, but not limited to, marketing data, financial results and operating data; (ii) information that the Company is legally or contractually required to keep confidential, including without limitation, information that is subject to confidentiality agreements or protective orders; (iii) personally identifiable data (“PID”) recorded in any form about identified or identifiable individuals, including, but not limited to, prospective, current, or former employees, customers, vendors, business partners, or any other natural persons in connection with the rental business or car sales business of Hertz, or acquired by Hertz as part of its claims management activities or any other business which Hertz, any Hertz employee, consultant, contractor, Licensee, agent, and other party obtains in the course of Hertz business; and (iv) information that could have a competitive impact on the Company or its organizational, technical, or financial position or which could cause damage to the Company or its prospective, current, or former customers, employees, or reputation if disclosed either internally or outside the Company.

Both the Charging Party and Respondent were notified that Counsel for the General Counsel is filing this Motion.

The withdrawal of the Consolidated Complaint paragraphs listed on pages 1 and 2 does not affect the remaining allegations in the Consolidated Complaint. Therefore, Counsel for the General Counsel respectfully requests that the Administrative Law Judge grant Counsel for the General Counsel's Motion to Withdraw the enumerated Paragraphs and the underlined portion or Paragraph 3(d) of the Consolidated Complaint.

Dated at Denver, Colorado this 8th day of March, 2019.

Respectfully submitted,



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BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 27**

DOLLAR THRIFTY AUTOMOTIVE GROUP

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Case 27-CA-173054

**COMMUNICATION WORKERS OF AMERICA,
LOCAL NO. 7777**

**AFFIDAVIT OF SERVICE OF MOTION TO WITHDRAW ALLEGATIONS FROM
CONSOLIDATED COMPLAINT**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on March 8, 2019, I served the above-entitled document(s) by **EMAIL** upon the following persons, addressed to them at the following addresses:

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March 8, 2019

Date

Todd Saveland, Field Attorney, Counsel
for the General Counsel

Name



Signature