

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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NANCY WILSON, Regional Director
of the Sixth Region of the
National Labor Relations Board,
for and on behalf of the
NATIONAL LABOR RELATIONS BOARD,

Plaintiff

v.

Civil Number 19-195

CHECKLIST CLEANING, LLC, d/b/a
CHECKLIST FACILITY MAINTENANCE

Defendant

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PLAINTIFF’S MOTION FOR VOLUNTARY DISMISSAL

COMES NOW Counsel for the Plaintiff and respectfully moves this Court for the voluntary dismissal without prejudice of this case pursuant to Federal Rule of Civil Procedure 41(a)(2). In support thereof, the Plaintiff states as follows:

1. On February 22, 2019, the Plaintiff filed a Complaint for Temporary Injunction under Section 10(j) of the National Labor Relations Act (“the Complaint”) seeking to enjoin Checklist Cleaning, LLC, d/b/a Checklist Facility Maintenance. (“the Defendant”) from engaging in certain acts and conduct in violation of the National Labor Relations Act (“the Act”) pending final disposition of the matters currently pending before the National Labor Relations Board (“the Board”).

2. The Defendant, the Plaintiff, and the Service Employees International Union, 32BJ (“the Union”) entered into a settlement agreement on April 8, 2019, which resolves the issues underlying this action.

3. As a result of the Settlement Agreement, the Plaintiff cancelled the administrative hearing before an administrative law judge of the Board. Thus, the need for injunctive relief, as a matter of law, is obviated and extinguished, and the Plaintiff seeks dismissal, without prejudice, of the current matter before this Court.

4. The Plaintiff hereby requests that this Court grant its Motion for Voluntary Dismissal of the Complaint without prejudice.

WHEREFORE, for all the foregoing reasons, the Plaintiff submits that this Court should grant Plaintiff’s Motion for Voluntary Dismissal without prejudice.

Dated at Pittsburgh, Pennsylvania, this 9th day of April, 2019.

Respectfully submitted,

/s/ Zachary A. Hebert
Zachary A. Hebert
NY ID 5401799
Telephone: (412) 690-7143
Facsimile: (412) 395-5986
Zachary.Hebert@nlrb.gov

Attorney for the Plaintiff
NATIONAL LABOR RELATIONS BOARD
1000 Liberty Avenue, Room 904
Pittsburgh, Pennsylvania 15222-4111