

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

**OLIVA SUPERMARKETS LLC, RL MARKETS I LLC,
AND V&V SUPERMARKETS, LLC, ALTER EGOS
AND A SINGLE EMPLOYER**

VITTORIO LARACCA, AN INDIVIDUAL

and

Case 22-CA-130315

**UNITED FOOD AND COMMERCIAL WORKERS,
LOCAL 464A**

**REQUEST TO WITHDRAW MOTION FOR DEFAULT JUDGMENT AND REMAND
MATTER TO THE REGIONAL DIRECTOR**

I. INTRODUCTION

- a. Counsel for the General Counsel respectfully requests to withdraw her Motion to Transfer and Continue Case Before the National Labor Relations Board (“Board”) and Motion for Default Judgment and, the Petition in Support of Motion for Default Judgment in Case 22-CA-130315 and moves the Board to remand these pleadings to the Regional Director of Region 22 (“Regional Director”).¹
- b. Counsel for the General Counsel so moves the Board in order to allow the Regional Director to withdraw all allegations/references remaining in this matter, which solely concern Oliva Supermarkets LLC and RL Markets I LLC, from the Compliance Specification and Notice of Hearing in Case 22-CA-130315, and to withdraw the Compliance Specification and Notice of Hearing in Case 22-CA-130315 in its entirety.

¹ On January 19, 2018, the Board granted Counsel for the General Counsel’s Motion to sever and remand to the Regional Director all allegations/references to V & V Supermarkets LCC contained in the above-referenced pleadings. By Order dated January 19, 2018, the Regional Director withdrew all allegations/references to V & V Supermarkets LCC contained in these pleadings. On February 21, 2018, the Board granted Counsel for the General Counsel’s Motion to sever and remand to the Regional Director all allegations/references to Vittorio Laracca contained in the above-referenced pleadings. By Order dated February 23, 2018, the Regional Director withdrew all allegations/references to Vittorio Laracca contained in these pleadings.

- c. This Request to Withdraw and Motion to Remand to the Regional Director is based on the facts that both Oliva Supermarkets LLC and RL Markets I LLC have been defunct entities for years and, that pursuant to a February 14, 2018 Order of United States Bankruptcy Judge Vincent F. Papalia in Cases 17-15174(VFP) and 17-32180(VFP), back wages owed by those entities will be remitted to their employees jointly and severally by Vittorio Laracca and V & V Supermarkets LLC.

II. CONCLUSION

Based on the foregoing, Counsel for the General Counsel respectfully requests that the Board grant this Request to Withdraw the Motion for Default Judgment in this matter and remand the pleadings referenced above to the Regional Director for issuance of an Order withdrawing the Compliance Specification and Notice of Hearing in this matter.

Respectfully submitted,

Dated May 15, 2019

/s/ Julie L. Kaufman

Julie L. Kaufman, Deputy Regional Attorney
Counsel for the General Counsel
National Labor Relations Board
Region 22
20 Washington Pl., Floor 5
Newark, NJ 07102
T: (862) 229-7028
F: (973) 645-3852
Email: julie.kaufman@nlrb.gov