

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

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

JUDGE JEFFREY J. HELMICK

PETITIONER

CIVIL CASE NO. 3:19-CV-00506-JJH

v.

HILLSTONE HEALTHCARE, INC.

RESPONDENT

JOINT STATUS REPORT REGARDING THE PETITION FOR INJUNCTION

On behalf of the parties, Counsel for the Petitioner respectfully provides this joint status report to this Court regarding the Petition for Injunction and states as follows:

1. On March 6, 2019, 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). [ECF Doc. 1].
2. Since the filing of the Petition, counsels for the Petitioner and Respondent have engaged in settlement discussions.
3. On March 29, 2019, the Petitioner requested a stay in these proceedings in light of promising settlement discussions that could effectively resolve this Petition and the underlying unfair labor practice proceedings. [ECF Doc. 7].
4. On April 3, 2019, Judge Jeffrey J. Helmick issued an Order for a joint status report by

May 17, 2019. [ECF Doc. 9].

5. The parties continue to discuss settlement and have made substantial progress in these discussions. However, to date, the underlying allegation that the Respondent failed to adhere to the terms of the collective bargaining agreement by its refusal and failure to deduct and remit union dues Petition ¶7(J)(i) remains unresolved.
6. Within seven days of this Status Report, in the event the parties are unable to fully effectuate a settlement that extinguishes the need injunctive relief, the Petitioner respectfully requests this Court to proceed with a determination upon its Petition. To this end, the Petitioner shall file with this Court its Memorandum of Points and Authorities in support of the Petition.
7. Should the parties effectuate a settlement that extinguishes the need for injunctive relief, the Petitioner will file a motion to dismiss the matter before this Court.
8. On May 16, 2019, Petitioner's counsel apprised Respondent's counsel of the contents of this status report. Respondent's counsel agrees that it accurately reflects the parties' positions.

Dated at Cleveland, Ohio this 17th day of May 2019.

Respectfully submitted,

/s/ Cheryl Sizemore

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CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2019, 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 (where known) and regular mail.

/s/ Cheryl Sizemore

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