

**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**

**PETITIONER**

**JUDGE JEFFREY J. HELMICK**

**v.**

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

**HILLSTONE HEALTHCARE, INC.**

**RESPONDENT**

**PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL OF PETITION**

Counsel for the Petitioner, Allen Binstock, Regional Director for Region 8 of the National Labor Relations Board (Board), respectfully moves for voluntary dismissal of this case by Court Order pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. In support thereof, Petitioner states as follows:

1. On March 6, 2019, the 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).
2. On May 22, 2019, Respondent and the Charging Party, who filed the underlying unfair labor practice charge, entered into an Informal Board Settlement Agreement (Settlement Agreement) resolving all of the allegations in the underlying unfair labor practice case. The Settlement Agreement fully remedies the alleged unfair labor practices. Petitioner approved the Settlement Agreement on May 23, 2019.

3. Respondent's compliance with its obligations under the Settlement Agreement will extinguish the Petitioner's need for interim injunctive relief. Therefore, Petitioner now seeks voluntary dismissal of the matter before this Court.

4. Respondent's representative in the underlying administrative proceeding was notified on May 22, 2019 of the Petitioner's intent to file Motion for Voluntary Dismissal of Petition and has no objections.

5. Accordingly, the Petitioner submits that its request for dismissal is proper and respectfully moves this Court to grant its Motion for Voluntary Dismissal of Petition without prejudice.

Dated at Cleveland, Ohio this 23rd day of May 2019.

Respectfully submitted,

/s/ Cheryl Sizemore

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 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.

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