

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
DIVISION OF JUDGES, SAN FRANCISCO**

NPM, INC.

and

GRAHAM CARLSON, an Individual

Cases 32-CA-238817

and

AUDREY ESCHRIGHT, an Individual

32-CA-238824

32-CA-239938

and

FRÉDÉRIC HARPER, an Individual

32-CA-240297

**ORDER FINDING THE GENERAL COUNSEL'S  
MOTION FOR LEAVE TO FILE CORRECTED OPPOSITION  
AND RESPONDENT'S RELATED MOTION TO RESCHEDULE  
HEARING MOOT AFTER SETTLEMENT AND DISMISSED COMPLAINT**

On June 10, 2019, a complaint issued in this matter and noticed a hearing for Monday, July 8, 2019, in Oakland, California for charges relating back to three discharges of the named individuals above - Graham Carlson, Audrey Eschright, and Frederic Harper (the Charging Parties).

On June 19, 2019, Respondent NPM, Inc. (Respondent) filed a motion to reschedule the hearing to August 12, 2019 or, September 11-13, 2019 (the Motion).

Also, on June 19, 2019, the parties in this case requested the appointment of a settlement judge to meet with the parties and assist them to settle the matter and, as a result, I appointed Administrative Law Judge Dickie Montemayor as Settlement Judge to meet with the parties and conduct settlement negotiations from June 26-28, 2019.

On June 20, 2019, I issued an Order to Show Cause giving the parties until noon on Thursday, June 27, to file a response as to why the Respondent's Motion should not be granted.

On June 27, 2019, counsel for the General Counsel filed an opposition to the Motion (GC Opposition).

On June 28, 2019, counsel for the General Counsel filed a motion for leave to file a corrected opposition pleading (Leave Motion).

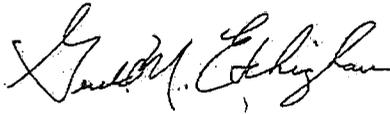
Later, on June 28, 2019, I received an email from the Region 32 Regional Attorney informing me that "this case has settled ... [and that, as a result of full settlement, the Region 32 Regional Director] will be issuing an order withdrawing the [complaint and notice of hearing] on

Monday[, July 1, 2019, because the Regional Attorney has] the signed [settlement] agreements in [her] inbox.”

I find that as a result of the full settlement of this case on June 28, 2019 and the Regional Director’s anticipated corresponding dismissal of the complaint and notice of hearing that the Respondent’s June 19, 2019 Motion to Reschedule Hearing and the General Counsel’s related June 28, 2019 Motion for Leave to File a Corrected Opposition Pleading are determined to be **MOOT** by operation of law.

SO, ORDERED.

Dated: July 1, 2019,  
San Francisco, California.



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Gerald M. Etchingam,  
Associate Chief  
Administrative Law Judge

***Served by E-mail and Facsimile upon the following:***

***For the NLRB:***

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**From:** Vanise.Lee@nlrb.gov <Vanise.Lee@nlrb.gov>  
**Sent:** Monday, July 1, 2019 3:43 PM  
**To:** Kwon, Christy <Christy.Kwon@nlrb.gov>; Rodriguez Ritchie, Edris W.I. <Edris.RodriguezRitchie@nlrb.gov>; schiu@kdvlaw.com; dthomas@kdvlaw.com  
**Subject:** [NASS] Scan-to-EMail Delivery - Subject: NPM, Inc. 32-CA-238817 et al., Assoc. Chief Admin Law Judge's Order Denying Motions as Moot, dd. 7-1/2019

Good afternoon, please see the attached Order which is faxing to your offices. Regards, Vanise Lee, Legal Tech. NLRB Div. of Judges, San Francisco Branch

Please find, attached, the document, "vlee-20194201064254.PDF," which was processed by the NLRB automated scan-to-email system.

**Sent:** Monday, July 1, 2019 3:49 PM  
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**Cc:** SM-Nass <nass@nlrb.gov>  
**Subject:** Re: [NASS] Scan-to-FAX Delivery - [REPORT]

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