FILED: July 23, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1695, NLRB v. Bluefield Hospital Co., LLC
10-CA-153544

NOTICE OF JUDGMENT

Judgment was entered on this date in accordance with Fed. R. App. P. 36. Please be advised of the following time periods:

PETITION FOR WRIT OF CERTIORARI: To be timely, a petition for certiorari must be filed in the United States Supreme Court within 90 days of this court's entry of judgment. The time does not run from issuance of the mandate. If a petition for panel or en banc rehearing is timely filed, the time runs from denial of that petition. Review on writ of certiorari is not a matter of right, but of judicial discretion, and will be granted only for compelling reasons. (www.supremecourt.gov)

VOUCHERS FOR PAYMENT OF APPOINTED OR ASSIGNED COUNSEL: Vouchers must be submitted within 60 days of entry of judgment or denial of rehearing, whichever is later. If counsel files a petition for certiorari, the 60-day period runs from filing the certiorari petition. (Loc. R. 46(d)). If payment is being made from CJA funds, counsel should submit the CJA 20 or CJA 30 Voucher through the CJA eVoucher system. In cases not covered by the Criminal Justice Act, counsel should submit the Assigned Counsel Voucher to the clerk's office for payment from the Attorney Admission Fund. An Assigned Counsel Voucher will be sent to counsel shortly after entry of judgment. Forms and instructions are also available on the court's web site, www.ca4.uscourts.gov, or from the clerk's office.

BILL OF COSTS: A party to whom costs are allowable, who desires taxation of costs, shall file a Bill of Costs within 14 calendar days of entry of judgment. (FRAP 39, Loc. R. 39(b)).

PETITION FOR REHEARING AND PETITION FOR REHEARING EN BANC: A petition for rehearing must be filed within 14 calendar days after entry of judgment, except that in civil cases in which the United States or its officer or agency is a party, the petition must be filed within 45 days after entry of judgment. A petition for rehearing en banc must be filed within the same time limits and in the same document as the petition for rehearing and must be clearly identified in the title. The only grounds for an extension of time to file a petition for rehearing are the death or serious illness of counsel or a family member (or of a party or family member in pro se cases) or an extraordinary circumstance wholly beyond the control of counsel or a party proceeding without counsel.

Each case number to which the petition applies must be listed on the petition and included in the docket entry to identify the cases to which the petition applies. A timely filed petition for rehearing or petition for rehearing en banc stays the mandate and tolls the running of time for filing a petition for writ of certiorari. In consolidated criminal appeals, the filing of a petition for rehearing does not stay the mandate as to co-defendants not joining in the petition for rehearing. In consolidated civil appeals arising from the same civil action, the court's mandate will issue at the same time in all appeals.

A petition for rehearing must contain an introduction stating that, in counsel's judgment, one or more of the following situations exist: (1) a material factual or legal matter was overlooked; (2) a change in the law occurred after submission of the case and was overlooked; (3) the opinion conflicts with a decision of the U.S. Supreme Court, this court, or another court of appeals, and the conflict was not addressed; or (4) the case involves one or more questions of exceptional importance. A petition for rehearing, with or without a petition for rehearing en banc, may not exceed 3900 words if prepared by computer and may not exceed 15 pages if handwritten or prepared on a typewriter. Copies are not required unless requested by the court. (FRAP 35 & 40, Loc. R. 40(c)).

MANDATE: In original proceedings before this court, there is no mandate. Unless the court shortens or extends the time, in all other cases, the mandate issues 7 days after the expiration of the time for filing a petition for rehearing. A timely petition for rehearing, petition for rehearing en banc, or motion to stay the mandate will stay issuance of the mandate. If the petition or motion is denied, the mandate will issue 7 days later. A motion to stay the mandate will ordinarily be denied, unless the motion presents a substantial question or otherwise sets forth good or probable cause for a stay. (FRAP 41, Loc. R. 41).

FILED: July 23, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1695
(10-CA-153544)

NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

BLUEFIELD HOSPITAL CO., LLC, d/b/a Bluefield Regional Medical Center

Respondent

J U D G M E N T

The Board's proposed judgment and order are attached hereto and are adopted as the judgment of this court enforcing an order of the National Labor Relations Board.

The court's mandate shall issue forthwith.

/s/ PATRICIA S. CONNOR, CLERK

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No.
v.	:	
	:	Board Case No.:
BLUEFIELD HOSPITAL COMPANY, LLC D/B/A	:	10-CA-153544
BLUEFIELD REGIONAL MEDICAL CENTER	:	
	:	
Respondent	:	

JUDGMENT

THIS CAUSE was submitted upon the application of the National Labor Relations Board for the enforcement of a certain order on consent issued by it against Respondent, Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center, its officers, agents, successors, and assigns, on June 18, 2020, in Board Case No. 10-CA-153544; and upon the record in that proceeding, certified and filed in this Court enforcing the order.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by the United States Court of Appeals for the Fourth Circuit that the order of the National Labor Relations Board be, and the same is hereby enforced; and that the Respondent, Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center, its officers, agents, successors, and assigns, abide by and perform the directions of the Board as set forth in its order. (See Attached Order)

Mandate shall issue forthwith

NATIONAL LABOR RELATIONS BOARD

v.

GREENBRIER, VMC, LLC D/B/A
GREENBRIER VALLEY MEDICAL CENTER

ORDER

Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center, Bluefield, West Virginia, its officers, agents, successors, and assigns, shall take the following affirmative action necessary to effectuate the policies of the Act.[1]

(a) Make the following Certified Registered Nurse Anesthetists at Respondent Bluefield who were discharged about February 9, 2015, whole for any loss of earnings, if any, and other benefits, if any, suffered as a result of their discharges: Candace Blankenship, Van Browning, Marla Cline, Douglas Hess, Stephanie Morrison, John Riddle IV, Kristi Shrewsbury, and Shewana Workman.

(b) Compensate the Certified Registered Nurse Anesthetists identified above for the adverse tax consequences, if any, of receiving lump-sum backpay awards, if any, and file reports with the Regional Director allocating the backpay awards, if any, to the appropriate calendar years.

The Board's decision can be found at www.nlrb.gov/case/10-CA-153544 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

[1] The General Counsel and the Respondent also negotiated an informal settlement agreement that provides, among other things, for the posting, reading, emailing, and mailing of a Notice to Employees that includes the allegations of the Third Amended Consolidated Complaint covered by this Formal Settlement Stipulation. The administrative law judge further issued an Order Granting Motions to Correct Notices and Clarify Settlement Agreements that, for the purposes of the Formal Settlement, corrects the heading of the notice.