

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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800 RIVER ROAD OPERATING	)	
OPERATING COMPANY, LLC d/b/a	)	
CARE ONE AT NEW MILFORD	)	Case Nos. 20-1280, 20-1321
	)	
Petitioner,	)	
	)	
v.	)	
	)	
NATIONAL LABOR RELATIONS BOARD	)	
	)	
Respondent.	)	

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**CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES**

Pursuant to the Court’s July 29, 2020 Order and Circuit Rule 28(a)(1)(A), Petitioner 800 River Road Operating Company, LLC certifies as follows:

**A. Parties and Amici**

Petitioner is 800 River Road Operating Company, LLC. Petitioner is a limited liability company, its sole member is THCI of New Jersey, LLC, and no publicly held company has a 10% or greater interest in any of the entities identified above. Respondent is the National Labor Relations Board (the “Board”).

1199SEIU United Healthcare Workers East the (“Union”) appeared before the Board in the underlying proceeding as the Charging Party. The American Federation of Labor and Congress of Industrial Organizations (“AFL-CIO”) appeared as *amicus curiae* before the Board in the underlying proceeding in support of the Union, but solely as to an issue not raised in Petitioner’s Petition for Review in the instant case. In its *amicus* brief to the Board, AFL-CIO stated that it was declining to express a view on the issue in the underlying proceeding that is now raised by Petitioner’s Petition for Review in the instant case.

No *amici* have yet appeared in the instant case. On August 17, 2020, the Union filed a Motion for Leave to Intervene in the instant case.

### **B. Ruling**

Petitioner seeks review of the ruling in the Decision and Order of the Board in the matter of “800 River Road Operating Company, LLC d/b/a Care One at New Milford and 1199SEIU Healthcare Workers East,” dated June 23, 2020, and reported at 369 NLRB No. 109, that Petitioner violated Sections 8(a)(1) and 8(a)(5) of the National Labor Relations Act by reducing the work hours of certain bargaining unit employees without notifying and offering to bargain with the Union.<sup>1</sup>

### **C. Related Cases**

Counsel is aware of no related cases currently pending in this Court or in any other court.

By: /s/ Seth D. Kaufman

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<sup>1</sup> Petitioner is not seeking review of the ruling in the Decision and Order dismissing the complaint allegations that Petitioner violated Sections 8(a)(1) and 8(a)(5) of the National Labor Relations Act by not providing the Union notice and an opportunity to bargain prior to taking certain discipline.

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on this 28<sup>th</sup> day of August, 2020, the foregoing **Certificate as to Parties, Rulings, and Related Cases** was filed with the Clerk of the Court which will send notification of the filing to the following persons at the addresses shown below:

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