

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION ONE**

NEW ENGLAND TREATMENT	)	
ACCESS, LLC,	)	
Employer	)	
and	)	Case No. 01-RC-264290
LOCAL 1445, UNITED FOOD &	)	
COMMERCIAL WORKERS INT'L	)	
UNION, AFL-CIO, CLC	)	
Petitioner,	)	
	)	

**PETITIONER'S OPPOSITION TO EMPLOYER'S REQUEST FOR REVIEW**

On October 7, 2020, New England Treatment Access, LLC (the Employer) filed a Request for Review of the Acting Regional Director's Order denying the Employer's Motion for Collateral Investigation and Dismissal of Petition. Now comes the Petitioner, Local 1445 of the United Food & Commercial Workers International Union, AFL-CIO, CLC (the Petitioner or the Union), pursuant to Section 102.67(f) of the Board's Rules and Regulations, and hereby opposes the Employer's Request for Review.

**I. FACTS**

**A. Procedural History**

The Petitioner filed the instant petition on August 7, 2020, seeking to represent employees of the Employer working at its facility in Franklin, Massachusetts.<sup>1</sup> The petitioned-for unit initially consisted of essentially all non-supervisory employees in the facility. [Emp.

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<sup>1</sup> The Union filed its petition in this matter after the Massachusetts Department of Labor Relations held in abeyance a petition before that agency seeking to represent a unit of agricultural employees at the Employer. The purpose of this petition is therefore primarily to test the agricultural status of the employees involved in the state matter.

Request for Review (RFR), Ex. 2.] The petitioned-for unit includes approximately 189 employees who perform a wide variety of functions related to cannabis production, including cultivation of cannabis plants, production of refined cannabis products, and packaging and labeling for retail sale. [Ex. A, Employee List Attached to Emp. Statement of Position.]

On August 21, the Employer filed a Motion for Collateral Investigation, Dismissal of Petition, and Postponement of Hearing (the Motion) with the Acting Regional Director. The Motion argued that the Petitioner's showing of interest is inadequate as a result of supervisory taint. It claims that Team Lead Jonathan Martins in the Kitchen Department, who had since been discharged from employment, was a statutory supervisor within the meaning of Section 2(11) of the Act and that he solicited authorization cards relied upon by the Petitioner to constitute its showing of interest. As evidence of supervisory taint, the Employer relied solely on remarks made by Martins when he appeared on an obscure podcast called The Young Jurks. [RFR, Ex. 4.]

The Petitioner filed an Opposition to the Motion on August 26. The Opposition primarily argued that, even if Martins was a supervisor and solicited cards, he could not have affected the showing of interest to a significant degree to render it numerically insufficient because the number of cards obtained from employees in the Kitchen Department were insufficient to affect the showing of interest. [Ex. B, Opposition to the Motion.]

The Petitioner filed a first amended petition on September 18, which, among other changes, amended the unit description to expressly exclude Team Leads. [RFR, Ex. 3.] Contrary to the Employer's unwarranted presumption, this amendment was not "in acknowledgment of the [Team Leads'] supervisory status." [RFR at 5-6.] Indeed, the resulting amended petition excluded Team Leads separately from the generic supervisor exclusion and not

as part of the supervisory exclusion.<sup>2</sup> [RFR, Ex. 3.] The Petitioner simply decided that it no longer sought to include Team Leads in this particular petition.<sup>3</sup> In addition, the Petitioner has separately filed an unfair labor practice charge in Case No. 01-CA-263053 alleging that the Employer violated section 8(a)(3) and (1) of the Act when it discharged Martins due to his protected concerted activity. [Ex. C, Charge 01-CA-263053.] In that charge, the Petitioner contends that Martins is *not* a supervisor within the meaning of section 2(11) of the Act. The Petitioner has not withdrawn that charge.

Acting Regional Director Murphy issued an Order Denying Motion for Collateral Investigation and Dismissal Petition [sic] on September 23. Murphy determined that, even if Martins was a supervisor, the Employer's proffer of evidence in support of its motion failed to show supervisory taint because the Employer failed to produce any evidence that Martins directly solicited cards and failed to establish "how many employees listened to or are even aware of the online radio show comments he made and then subsequently signed authorization cards as a result of those remarks." [RFR, Ex. 1.]

During the two intervening weeks between the Acting Regional Director's decision and the Request for Review, the Region continued to process the petition. It conducted a pre-election hearing on October 5 in which the parties litigated the sole issue of whether several classifications of employees are excluded from the definition of employee under Section 2(3) as

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<sup>2</sup> The exclusion in the amended petition is as follows: "All casual employees, office clerical employees, confidential employees, Team Leads, Coordinators, managers, guards, and supervisors as defined in the Act."

<sup>3</sup> The Union amended the petition for the sole purpose of limiting the scope of the pre-election hearing to only the issue of agricultural status of employees in the Cultivation and Harvest departments. The Union presumes that the Acting Regional Director will ultimately dismiss the petition due to the agricultural status of those employees, leaving the issue of the Team Leads' status to be resolved in a future petition.

agricultural employees. Briefs on the issue were submitted on October 13. The petition will be dismissed if the Acting Regional Director determines that any of these employees are agricultural.

**B. Relevant Facts Regarding Jonathan Martins**

Until his discharge from the Employer, Jonathan Martins was a Team Lead working in the Kitchen Department at the Employer's facility in Franklin, Massachusetts. The Kitchen Department included twenty-three employees in addition to Martins. [RFR at 3.]

The Employer discharged Martins on or about July 15, 2020, leading the Petitioner to file an unfair labor practice charge in Case No. 01-CA-263053 in which the Union alleged that "the Employer discharged unit eligible employee Jonathan Martins for his protected Section 7 activity." [Ex. C.] The Petitioner obviously would not have filed this charge, or would have later withdrawn it, if it thought Martins to be a supervisor. This charge remains outstanding and continues to be investigated by the Region. On information and belief, as part of the unfair labor practice investigation, the Region is investigating whether Martins was a supervisor.

Although the supervisory status of Martins is disputed, it is undisputed that Martins went on the Young Jurks podcast on or around July 8, 2020, and described his advocacy for the Petitioner, including the fact that he was "trying to talk to as many people as [he] can to get them to sign a digital card." [RFR, Ex. 6c at 7:30:57.] Martins also described the efforts of managers to restrict him even advocating for the Petitioner in the Kitchen, much less soliciting authorization cards, stating:

They didn't like that I was talking to my people about it. I actually got brought upstairs and talked to by one of the supervisors. They directly told me that I wasn't in trouble, but that I wasn't supposed to be talking about Union stuff on the clock. And then I told them that I was just, you know, letting my people know about what was going on in the back because I got a flyer saying that they filed. They told me that, even that, I probably shouldn't be talking about that.

[*Id.* at 7:31:32.] As noted above, the Employer fired Martins on July 15, 2020.

## **II. STANDARD OF REVIEW**

The Board exercises jurisdiction over appeals in representation cases only when “compelling circumstances” necessitate Board review. Board’s Rules & Regulations § 102.67(d). The rules confine “compelling circumstances” to four exclusive bases for review: the existence of a “substantial question of law or policy”; a “substantial factual issue” on which a ruling was “clearly erroneous”; a “prejudicial error” in the “conduct of any hearing or any ruling”; or “compelling reasons for reconsideration of an important Board rule or policy.” *Id.* § 106.67(d)(1)-(4).

### **III. THE EMPLOYER FAILED TO ESTABLISH THAT THE ACTING REGIONAL DIRECTOR APPLIED AN IMPROPER LEGAL STANDARD OR MADE ANY CLEARLY ERRONEOUS RULING THAT WOULD ALLOW FOR REVIEW OF HIS DECISION NOT TO CONDUCT A COLLATERAL INVESTIGATION OF THE SHOWING OF INTEREST.**

#### **A. The Acting Regional Director Applied the Proper Legal Standard When He Correctly Determined That the Employer Failed to Show That Any Purported Supervisory Taint Rendered the Showing of Interest Insufficient.**

The Employer argues that the Acting Regional Director misstated the legal standard for supervisory taint, contending that he improperly required the Employer to demonstrate that solicitation on the part of Martins resulted in “particular cards” being signed and submitted. [RFR at 9-10.] Similarly, it argues that Martins tainted even authorization cards that he did not directly solicit through his advocacy in support of the Petitioner. [RFR at 11.] In essence, the Request for Review purports to present a “serious question of law or policy” in the form of a “departure from officially reported Board precedent.” Board’s Rules and Regulations § 102.67(d)(1)(ii). The Employer’s Request for Review utterly fails to meet that standard because the Acting Regional Director applied the appropriate standard when he concluded that the

Employer failed to bear its burden of adducing evidence that any purported supervisory taint could have rendered the showing of interest insufficient.

The Board most frequently excludes authorization cards for supervisory taint where a supervisor “directly solicits authorization cards.” *Dejana Industries, Inc.*, 336 NLRB 1202 (2001). While the Board will also find supervisory taint of authorization cards under certain circumstances outside of direct supervisory solicitation, the bar to establishing taint without direct solicitation is high. A supervisor must have “deprived employees of the opportunity to exercise free choice in selecting a collective-bargaining representative.” *El Rancho Market*, 235 NLRB 468, 473 (1978). Under this line of cases, an employer must establish “either that the supervisor’s activity was such as to have implied to employees that their employer favored the union or that there is cause for believing that employees were coercively induced to sign authorization cards because of fear of supervisory retaliation.” *Id.* at 473-74; *see Juniata Packing Co.*, 182 NLRB 934, 935 (1970) (finding no broad supervisory taint of authorization cards in the absence of “coercive effect”). The Board has held that “general statements of sympathy for the Union by a supervisor,” without evidence of direct solicitation, do not taint the showing of interest. *Kut Rate Kid & Shop Kwik*, 246 NLRB 106, 107 (1979). *Cf. Harborside Healthcare, Inc.*, 343 NLRB 906 (2004) (holding in a post-election objections case that supervisory solicitation of authorization cards is considered to be “inherently coercive” but making no suggestion about any impact on the sufficiency of the showing of interest).

Here, not only did the Employer fail to adduce any evidence of direct solicitation, but it also failed to adduce any evidence that Martins either implied that the Employer supported the Petitioner or created an impression that employees could experience retaliation if they failed to sign and submit authorization cards. Instead, the Employer’s conclusionary argument assumes

that Martins's purported supervisory status itself, coupled with expression of support for a union, created this effect automatically. [RFR at 11.] The only specific claim of coercion that the Employer could muster was that Martins "implied he used his influence to impact employees' decisions" by stating, "I lead them all." [*Id.* at 9.] Martins did make this statement during the podcast when generally describing his duties and functions as the Team Lead (more than seven minutes *after* describing his support for the petition), but he did not in any way suggest or admit that he exploited putative authority to coerce support for the Petitioner.

In the absence of broader taint through coercive acts, the Employer must establish that any purported solicitation on the part of Martins successfully yielded authorization cards. The Employer quibbles with the Acting Regional Director's characterization of *Dejana Industries* as holding that only that the "particular cards" resulting from direct supervisory solicitation are excluded. [RFR at 9-10.] The Board in *Dejana Industries*, however, did determine that "*those cards are excluded,*" referring to cards directly solicited by a supervisor. 336 NLRB at 1202 (emphasis added). It is true that all cards were excluded in that case and the case was dismissed, but this is because the facts in that case established that a supervisor "solicited *all* of the authorization cards constituting the showing of interest." *Id.* (emphasis added).

In cases prior to *Dejana Industries*, the Board clearly limited exclusion due to direct supervisory solicitation only to the specific cards resulting from supervisory solicitation. As discussed above, the Board in *El Rancho Market* rejected a claim of broader supervisory taint of authorization cards because of the lack of evidence of coercion. 235 NLRB at 473. It did find, however, that a supervisor directly solicited cards from three employees who in fact signed them. *Id.* at 473-74. Accordingly, it excluded cards from consideration, but only those three. *Id.* at 474. The remaining cards were valid in the absence of broader coercion. *Id.* ("Even though we

will not count the cards signed by employees Hamilton, Cunningham, and MacLaren, all of which the statutory supervisor, Gene Strausser, solicited, this leaves a total of 11 valid cards . . . .”); *see Sarah Neuman Nursing Home*, 270 NLRB at 663 n. 2 (listing cases in which Board excluded solely directly solicited cards in the absence of broader coercion).

Therefore, because the Employer provided no evidence of Martins creating a broader atmosphere of coercion, the Acting Regional Director correctly held that the Employer had to show that Martins directly solicited particular authorization cards. This determination was not a departure from Board precedent, and thus the Request for Review does not raise a serious issue of law or policy in this respect.

**B. The Acting Regional Director’s Finding That the Employer Failed to Adduce Evidence That Martins Successfully Obtained Cards is Not Clearly Erroneous.**

As established above, direct solicitation of authorization cards invalidates only those cards that were the product of supervisory solicitation. The Acting Regional Director found that the Employer “provided no evidence that the Kitchen Team Lead directly solicited cards and if so, how many would be discounted because of his solicitation.” [Order at 3.] The Acting Regional Director thus made a finding of fact that Martins’s comments alone did not demonstrate that he actually obtained cards. Accordingly, the appropriate standard of review on this issue is whether the Acting Regional Director’s determination was clearly erroneous. *See* Board’s Rules & Regulations § 102.67(d)(2).

The Employer claims that two comments by Martins on the Young Jurks podcast constitute admissions of direct supervisory solicitation. One was his invitation at the end of the program to his co-workers to approach him to obtain access to digital authorization cards. [RFR at 7.] As to this suggestion, the Acting Regional Director aptly observed that “there is no basis

for even determining how many employees listened to or are even aware of the online radio show comments [Martins] made and then subsequently signed authorization cards as a result of those remarks.” [Order at 3.] The Employer assumes without evidence that an attenuated chain of contingent events running from the podcast to a signed card must have occurred. Speculation is insufficient to show actual supervisory taint.

The other statement relied on by the Employer is Martins claim that he was “actively just trying to talk to as many people as [he] can, get them to sign the digital card, answer any questions that they have, direct them to the people that have the answers, just doing what [he] can.” [RFR at 8.] Martins began this passage by stating that he was “trying” to build support for the Petitioner. This was an account of attempts, not results, and does not establish evidence of any actual authorization cards having resulted from such efforts.

The Acting Regional Director was therefore correct in finding no evidence that Martins actually obtained authorization cards for the Petitioner. This finding of fact was not clearly erroneous because it was based on a reasonable interpretation of Martins’s remarks on Young Jurks in light of their language and context. Therefore, there exist no grounds for the Board to review the Acting Regional Director’s decision not to cause delay or use attendant resources to conduct a further administrative investigation in the absence of actual evidence of supervisory taint.

**C. The Employer Could Not, in Any Event, Establish Direct Solicitation of Cards Because Martins Referred Only to Encouraging Employees to Submit Digital Authorization Cards.**

In his comments on the obscure radio podcast, Martins referred only to his encouraging employees to sign digital authorization cards. The Acting Regional Director generally found no evidence of direct solicitation without specifically analyzing the significance of digital

authorization cards; however, the fact that the evidence of “solicitation” relates solely to digital cards provides an alternative basis for upholding his decision not to initiate an administrative investigation.

In the absence of broader coercion by a supervisor, the Board will not count authorization cards that were “directly solicited by supervisors.” *Sarah Neuman Nursing Home*, 270 NLRB at 663 n. 2. Typically, the Board has found direct solicitation when a supervisor obtained a handwritten signature on a traditional paper authorization card. *Dejana Industries*, 336 NLRB at 1202 (describing cases in which supervisors “personally solicited and obtained signatures” and “participated in obtaining the signatures”). The Board also has found supervisory taint based on a supervisor’s presence as an employee signed a card, even if a non-supervisory employee or union representative was also soliciting. *See Reeves Co.*, 277 NLRB 1568, 1568 n.1 (1986) (excluding cards where supervisor “either solicited [the employees’] signatures directly or was present when they signed their cards”). However, a supervisor can appropriately be involved to some degree in the gathering of authorization cards without being deemed to have *directly* solicited the cards. For example, a supervisor has not directly solicited cards when employees ultimately sign cards with union staff outside of the presence of the supervisor. *See D.V. Printing & Copying, Inc.*, 240 NLRB 1276, 1276, 1286-87 (1979) (affirming bargaining order where ALJ found no direct solicitation because cards were ultimately signed at union hall); *Meat Packers International*, 225 NLRB 294, 295, 304-05 (1976) (affirming bargaining order where ALJ found no direct solicitation when supervisor drove employee to motel to sign card but remained outside in reception area).

The review and signature of an electronic showing of interest for a union tends to be a more private matter than the signing of a paper card. With an electronic showing of interest,

employees typically affirm their support by completing a form on a website or sending an email to the union. See Memorandum GC 15-08, Guidance Memorandum on Electronic Signatures to Support a Showing of Interest, at 5 n. 4 (Oct. 26, 2015) (describing various methods for obtaining valid electronic signatures for showing of interest). With paper cards, employees must at the very least return their signed card to an intermediary for the union and will frequently sign the cards in that person's presence. An electronic showing of interest, by contrast, permits employees to interact with the union directly without an intermediary. Once employees have access to the website or email, they can transmit their electronic signature in private from their own device, i.e. "return" the card directly to the union.

Moreover, the fact that a putative supervisor might give employees access to the digital card by sending a hyperlink to a web form or an email is not tantamount to direct solicitation. Supervisory solicitation has been found problematic because the supervisor becomes aware of the employee's union sympathies. "The solicitation of cards gives the supervisor the opportunity to obtain a graphic illustration of who is pro-union and, by the process of eliminating nonsigners, who likely is not." *Harborside Healthcare*; 343 NLRB at 911. Given a supervisor's authority over employees, this tends to pressure employees to give the "'right' response" to a pro-union supervisor. *Id.* However, a putative supervisor has no such ability to learn an employee's sentiments vis-à-vis the union in the context of an electronic showing of interest. Once access is granted to the employee, the employee communicates directly with the union. A supervisor presumably could inquire with the union as to whether the employee completed the process, but this is a theoretical possibility in any case involving supervisory support for a union. The only way the supervisor could determine if the employee executed the card is if the supervisor happened to be present, e.g. if the supervisor lent a device for the employee to use or stood over

the employee's shoulder during the electronic transmission of the card to the union. This cannot be presumed to have occurred in this case, and the Employer provided no evidence even suggesting that it has.

Therefore, the Acting Regional Director's decision can be affirmed on the alternative basis that Martins stated, at most, that he granted other employees access to the Petitioner's digital cards. The Employer failed to adduce any evidence that Martins was present as employees completed the digital cards; therefore, the Acting Regional Director's conclusion regarding the lack of evidence thereof cannot be found to be clearly erroneous.

**D. The Acting Regional Director Correctly Determined That Any Cards Directly Solicited by Martins Would Not Have Reduced the Showing of Interest Below Thirty Percent.**

The Petitioner primarily argued in its Opposition to the Motion for Collateral Investigation that, even if Martins is determined to be a supervisor and even if he had directly solicited cards, the Petitioner still had a sufficient showing of interest. [Ex. B.] The Acting Regional Director's brief decision primarily focused on the lack of evidence that the showing of interest was at all the product of direct solicitation by Martins. [Order at 3.] However, the decision also addressed the Petitioner's argument about the possible extent of taint, stating: "There is no basis for concluding that [Martins] directly solicited authorization cards *or that he solicited enough authorization cards that the showing of interest would be insufficient if those cards were excluded from consideration.*" [Order at 3 (emphasis added).] The Acting Regional Director essentially made a factual finding that any solicitation by Martins could not have reduced the showing of interest below the thirty-percent minimum.

Although the Region did not formally conduct an administrative investigation, the Region had in its possession the Petitioner's showing of interest. It also had received the Employer's

Statement of Position, which included a list of employees and their classifications. [Ex. A.]; Board's Rules & Regulations § 102.63(b)(1)(i)(C). Based on these documents, the Acting Regional Director's finding on the possible extent of supervisory taint was correct.

In general, the Kitchen Department was a small part of the petitioned-for unit, with just 23 employees out of approximately 189. These are the employees with whom Martins was most likely to have contact in a large unit. They are also the only employees who would supposedly be under the sway of Martins according to the Employer's theory of supervisory taint. *See Glen's Market*, 344 NLRB 294, 295 (2005) (finding supervisors' conduct to be not objectionable because of the lack of evidence that it was directed to employees whom the supervisors actually supervised). A comparison of the showing of interest and the employee list specifically shows that the Petitioner's showing of interest included at least thirty percent of the unit even without cards from the Kitchen Department. The Employer did not claim that Martins had any supervisory authority outside of his department, and even presuming without evidence that Martins was the only solicitor of cards in the Kitchen Department, the showing of interest remains sufficient.

For these reasons, the Acting Regional Director's conclusion that any purported supervisory taint by Martins was not fatal to the showing of interest was not clearly erroneous.

**IV. THE EMPLOYER'S REQUEST FOR EXTRAORDINARY RELIEF IS NOT WARRANTED BECAUSE THE ISSUE MAY BE MOOTED BY OTHER PRE-ELECTION DEVELOPMENTS.**

In its Request for Review, the Employer asked for "expedited consideration of the request" under Section 102.67(j)(1)(i). [RFR at 2.] The Employer notably does not request a stay of proceedings or of the election. *See id.* § 102.67(j)(1)(ii).

Expedited consideration of a request for review is a form of “extraordinary relief” requiring the requesting party to make a “clear showing that it is necessary under the particular circumstances of [the] case.” *Id.* § 102.67(j)(2). Here, the Employer does not even specify why it claims expedited consideration to be necessary in this case let alone make a clear showing of the necessity thereof. The Employer’s request for review solely objects to the adequacy of the Petitioner’s showing of interest. “The purpose of a showing of interest is to determine whether the conduct of an election serves a useful purpose under the statute—that is, whether there is sufficient employee interest to warrant the expenditure of time, effort, and funds to conduct an election.” *Gaylord Bag Co.*, 313 NLRB 306, 307 (1993). Thus, the claimed need for extraordinary relief should be assessed in terms of whether it might actually preserve the NLRB’s resources in alignment with the purpose of requiring petitioners to make a showing of interest.

At the current procedural posture of the case, expedited consideration presents a risk of unnecessarily consuming the Board’s resources, contrary to the purpose behind the showing of interest. Two impending developments could moot the need to determine whether the conduct of Martins tainted the showing of interest if he was a supervisor. First, the Acting Regional Director is currently drafting a decision on the agricultural status of certain classifications included in the petition, and that decision is almost certain to lead to dismissal of the petition without regard to the showing of interest. Second, although the Acting Regional Director declined to conduct an administrative investigation of supervisory taint, the Region is actively investigating whether Martins is a supervisor in its investigation of the unfair labor practice in Case No. 01-CA-263053. If the Acting Regional Director determines that Martins was not a supervisor, then he will have necessarily determined that Martins’s conduct did not invalidate

any portion of the showing of interest, and the Employer will have obtained what it seeks through its Motion and RFR—a Regional determination on its claim of supervisory taint.

Therefore, the Board should deny expedited consideration of the Request for Review because expedited consideration poses the risk of an unnecessary waste of agency resources. Consideration of the Request for Review should await determination by the Acting Regional Director as to whether the case will actually proceed to an election and, if so, whether the Acting Regional Director has made a determination in the unfair labor practice context of Martins's purported supervisory status. The Employer could renew its request for extraordinary relief in the unlikely event that an election is directed and Martins has not been found to be a statutory employee.

#### **V. CONCLUSION**

The Board should deny the Employer's Request for Review because the Acting Regional Director properly declined to conduct an administrative investigation of supervisory taint of the showing of interest. In this regard, as described herein, the Employer failed to establish that the Acting Regional Director departed from Board precedent or made clearly erroneous findings of fact that would warrant such review. Moreover, the Employer's request for extraordinary relief in the form of expedited consideration should be denied.

WHEREFORE, the Union respectfully requests that the Board deny the Employer's Request for Review of the Acting Regional Director's Order denying the Employer's Motion for Collateral Investigation and Dismissal of Petition.

Respectfully submitted,

UFCW, LOCAL 1445,

by its attorneys,



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Date: October 23, 2020

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on October 23, 2020, a copy of the above document was served on Counsel for the Employer, Neil V. McKittrick and Lorenzo R. Cabantog, by email to [neil.mckittrick@ogletree.com](mailto:neil.mckittrick@ogletree.com) and [lorenzo.cabantog@ogletree.com](mailto:lorenzo.cabantog@ogletree.com).



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Alfred Gordon O'Connell

# EXHIBIT A

New England Treatment Access, LLC  
Employee List – Statement of Position  
Case No. 01-RC-264290

Last Name	First Name	Location	Department	Classification	Shift
Ahern	Joshua	Franklin	Cure Room	Cure Room Technician	Week One: Sun, Wed, Thurs, Fri Week Two: Mon, Tue, Wed, Sat 6:00a-4:30p
Augusto III	Richard	Franklin	Flower Production	Joint Roller	M-F 3:00PM - 11:30PM
Bachiri	Samir	Franklin	MIP	MIP Lab Technician	M-F: 6:00 AM - 4:30 PM
Banks	Marc	Franklin	Flower Production	Joint Roller	M-F 3:00PM - 11:30PM
Barr	Jordan	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Barrus	Derek	Franklin	Cultivation	Cultivator III	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Barton	Nicole	Franklin	Cultivation	Cultivator II	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Beaulieu	Taylor	Franklin	Harvest/Trim	Trimmer III	M-F 6:00a-2:30p
Beaulieu	Dylan	Franklin	MIP	MIP Lab Technician II	M-F 3:45 PM - 12:15 AM
Beauregard	Christopher	Franklin	Environmental Services	Environmental Services Technician I	Sunday - Wednesday 7:00a - 5:30p
Belin	Chakeya	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Besaw	Stacie	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Bessette	Chyanne	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM
Bianchi	Andrew	Franklin	Harvest/Trim	Harvester	Week 1- Sun, Tues, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30
Blau	Diane	Franklin	Harvest/Trim	Trimmer II	Week 1- Tues, Wed, Fri, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 6-4:30
Borra	Lindsey	Franklin	Harvest/Trim	Trimmer II	M-F 6:00a-2:30p
Bradley	Daniel	Franklin	MIP	MIP Lab Technician	M-F 6:45 AM - 3:45 PM

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Bray	Dillan	Franklin	Environmental Services	Environmental Services Technician II	Wednesday - Saturday 5:00a - 3:30p
Brennan	Michael	Franklin	Harvest/Trim	Trimmer III	Week 1- Sun, Mon, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30
Brizzolara	Michael	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Brown	Ryan	Franklin	Cultivation	Cultivation Team Member	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Tues, Thurs, Fri 7am-5:30pm
Brown	Ashley	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Mon, Thurs, Fri Week 2- Mon, Tues, Thurs, Sat 7am-5:30pm
Bulman	Colin	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Burton	Andrew	Franklin	Inventory	Inventory Specialist	230-11 (M-F)
Bussaglia	Tiffany	Franklin	Environmental Services	Environmental Services Technician II	Sunday - Wednesday 5:00a - 3:30p
Cahill	Basil	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Mon, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Caliri	Colin	Franklin	Flower Production	Fresh Pack Team Member	M-F 3:00PM - 11:30PM
Carlioni	Craig	Franklin	Flower Production	Joint Roller	M-F 3:00PM - 11:30PM
Carlson	Alexander	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Carroll	Derek	Franklin	IPM	IPM Licensed Applicator	week 1: Sun, Mon, Thurs, Fri Week 2: Mon, Tue, Wed, Sat. all 7-5:30
Cawley	Robert	Franklin	Harvest/Trim	Trimmer II	Week 1- Tues, Wed, Fri, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 6-4:30
Charbonneau	John	Franklin	IPM	IPM Scout	week 1: Sun, Tues, Thurs, Fri Week2: Mon Tues Wed Sat all 7-5:30
Clark	Randi	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM

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Coleman	Timothy	Franklin	Extraction	MIP Lab Technician III	M-F 6:00 AM - 2:30 PM
Collamati	Michael	Franklin	Flower Production	Joint Roller	M-F 3:00PM - 11:30PM
Connors	Erin	Franklin	MIP	MIP Lab Technician	M-F 3:45 PM - 12:15 AM
Costabile	Danielle	Franklin	Inventory	Harvest Production Specialist	Week 1- Mon, Tues, Wed, Sat/ Week 2- Sun, Tues, Wed, Thurs/6-4:30
Crisafulli	Gregory	Franklin	MIP	MIP Lab Technician	M-F 3:45 PM - 12:15 AM
Crowther	Joshua	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Curto	Francis	Franklin	Cultivation	Cultivator II	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Mon, Thurs, Fri 7am-5:30pm
Da Costa	Telmo	Franklin	Inventory	Inventory Specialist	10-630 (M-F)
Dayutis	Jacob	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Tues, Thurs, Fri Week 2- Mon, Tues, Fri, Sat 7am-5:30pm
Decker	James	Franklin	Extraction	MIP Lab Technician III	M-F 2:00 PM - 10:30 PM
DelleFemine	Michael	Franklin	Environmental Services	Environmental Services Technician II	Sunday - Tuesday 5:00a - 3:30p, Friday 5:00a - 3:30p
Demers	Daniel	Franklin	Environmental Services	Environmental Services Technician II	Sunday - Wednesday 9:00a - 7:30p
Dever	Edward	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Driscoll	Savannah	Franklin	Kitchen	Dishwasher	M-F 6:30AM - 3:00PM
Durand	Alexander	Franklin	Extraction	MIP Lab Technician III	M-F 6:00 AM - 2:30 PM
Emond	Jason	Franklin	Environmental Services	Environmental Services Technician II	Wednesday - Saturday 5:00a - 3:30p
Farias	Sonia	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon,

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					Tues, Wed, Sat 7am-5:30pm
Farrell	Chelsea	Franklin	Harvest/Trim	Batch Packager	Week 1- Mon, Tues, Fri, Sat/ Week 2- Sun, Tues, Wed, Thurs/ 6-4:30
Faubert	Elizabeth	Franklin	Cultivation	Cultivator II	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Feerick	Kyle	Franklin	Extraction	Extractor I	M-F 5:45 AM - 2:15 PM
Fernandez Espinoza (Silva)	Karina	Franklin	Flower Production	Joint Roller	M-F 6:-00AM -2:30PM
Fitzgerald	Robert	Franklin	Cultivation	Cultivator III	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Mon, Thurs, Fri 7am-5:30pm
Fitzpatrick	Suzanne	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Forbes	Brooke	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Frigon	Donald	Franklin	Harvest/Trim	Batch Packager II	Week 1: M-F Week 2: M-F 3-11:30PM
Gala	Jay	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Garrant	Todd	Franklin	Cultivation	Cultivator II	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Gauvin	Mariah	Franklin	Environmental Services	Environmental Services Technician I	Wednesday - Saturday 9:00a - 7:30p
Gbla	PaSalfu	Franklin	Cure Room	Cure Room Technician	Week One: Mon, Tues, Wed, Sat Week Two: Sun, Wed, Thurs, Fri 6:00a-4:30p
Geba	Alexander	Franklin	Harvest/Trim	Trimmer II	Week 1- Sun, Mon, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30

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Gully	James	Franklin	Flower Production	Joint Roller	M-F 6:-00AM -2:30PM
Gutkowski	Ian	Franklin	MIP	MIP Lab Technician II	M-F 6:45 AM - 3:45 PM
Hack	Dylan	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Halpin	Kara	Franklin	Harvest/Trim	Trimmer II	Week 1- Sun, Mon, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30
Hamelin	Jeffrey	Franklin	MIP	MIP Lab Technician	M-F 6:45 AM - 3:45 PM
Haro	Nicholas	Franklin	Cultivation	Cultivator II	Week 1- Sun, Mon, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Harrison	Kyle	Franklin	Facilities	Maintenance Technician, III	MON-FRI 8AM-4PM
Hemstedt	Melissa	Franklin	Cultivation	Cultivator II	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Hoffman	Nicholas	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Horn	Rachel	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Hotykey	Jonathan	Franklin	Flower Production	Joint Roller	M-F 3:00PM - 11:30PM
Howard Nolan	Matthew	Franklin	Harvest/Trim	Harvester	Week 1- Mon, Tues, Wed, Sat/ Week 2- Sun, Mon, Thurs, Fri/ 6-4:30
Howes	Zachary	Franklin	Cultivation	Cultivator III	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Hunt	Isaiah	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Keenan	Matthew	Franklin	Harvest/Trim	Harvester	Week 1- Mon, Tues, Wed, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 6-4:30
Keniston	Richard	Franklin	Facilities	Maintenance Technician, II	MON-FRI 7AM-330PM
Kenneally	Micaela	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Kinnel	Ashley	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Kmetz	Kyle	Franklin	Cultivation	Cultivation Team Member	Week 1 - Sun, Tues, Thurs, Fri Week 2 - Mon, Tues,

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					Wed, Sat 7-5:30
Knapp	Stephen	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Knecht	Mandy	Franklin	MIP	MIP Lab Technician	M-F 6:45 AM - 3:45 PM
Knights	Mitchell	Franklin	MIP	MIP Lab Technician II	M-F 6:45 AM - 3:45 PM
Krause	Christopher	Franklin	Environmental Services	Environmental Services Technician II	Sunday - Tuesday - 9:00a -7:30p, Thursday 9:00a - 7:30p
Krause	Craig	Franklin	MIP	MIP Lab Technician	M-F 6:45 AM - 3:45 PM
Langhammer	Colin	Franklin	Flower Production	Fresh Pack Team Member	M-F 3:00PM - 11:30PM
Lapierre	Michele	Franklin	IPM	IPM Technician	Week 1: Tues, Wed, Fri, Sat Week 2: Sun Wed Thurs Fri all 7-5:30
Leary	Melissa	Franklin	Harvest/Trim	Harvester	Week 1: Sun, Mon, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30
Lindo	John	Franklin	Harvest/Trim	Trimmer II	Week 1- Sun, Mon, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30
Little	Janessa	Franklin	Environmental Services	Environmental Services Technician II	Sunday - Wednesday 5:00a - 3:30p
Littlefield	Charles	Franklin	MIP	MIP Lab Technician II	M-F 3:45 PM - 12:15 AM
Livsey	Donald	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Long	Vesal	Franklin	MIP	MIP Lab Technician II	M-F 6:45 AM - 3:45 PM
MacArthur	William	Franklin	Cultivation	Cultivation Team Member	Week 1- Mon, Tues, Thurs, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Mahoney	Seamus	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Mahoney	Kyle	Franklin	MIP	MIP Lab Technician	M-F 6:45 AM - 3:45 PM
March	Colin	Franklin	Harvest/Trim	Trimmer III	M-F 6:00a-2:30p

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Martin	Joseph	Franklin	Harvest/Trim	Trimmer II	Week 1- Mon, Tues, Wed, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 6-4:30
Martin	Adam	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Martin	Deirdre	Franklin	Cultivation	Cultivation Team Member	Week 1- Mon, Tues, Thurs, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Masters	Ryan	Franklin	Extraction	Extraction Prep Technician	M-F 2:15 PM - 10:45 PM
Mayora	Jasmine	Franklin	Harvest/Trim	Trimmer III	M-F 6:00a-2:30p
McAdams	Lee	Franklin	Environmental Services	Environmental Services Technician II	Sunday - Wednesday 9:00a - 7:30p
McCarthy	Joseph	Franklin	Harvest/Trim	Harvester	Week 1- Tues, Wed, Fri, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 6-4:30
McCarthy	Mileena	Franklin	Flower Production	Joint Roller	M-F 6:-00AM -2:30PM
McGowan Jr	Kevin	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
McGrory	Ryan	Franklin	Cultivation	Cultivator II	Week 1- Sun, Mon, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Membrino	Jodi	Franklin	Cure Room	Cure Room Technician	Week One: Mon, Tue, Thurs, Sat Week Two: Sun, Tues, Thurs, Fri 6:00a-4:30p
Milks	Deborah	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM
Mogayzel	Michael	Franklin	Harvest/Trim	Trimmer III	M-F 6:00a-2:30p
Morales	Freddy	Franklin	Facilities	Maintenance Technician, II	MON-FRI 8AM-430PM
Moxey	Shannon	Franklin	Environmental Services	Environmental Services Technician II	Monday 5:00a - 3:30p, Thursday - Saturday 5:00a - 3;30p
Nault	Alyssa	Franklin	Flower Production	Joint Roller II	M-F 6:-00AM -2:30PM
Navarro	Danny	Franklin	Cultivation	Cultivator III	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Mon, Thurs, Fri 7am-5:30pm

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Newton	Isaiah	Franklin	Harvest/Trim	Trimmer II	Week 1- Tues, Wed, Fri, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 6-4:30
Nickell	Kenneth	Franklin	Harvest/Trim	Harvester	Week 1- Sun, Wed, Thurs, Fri/ Week 2- Mon, Tues, Thurs, Sat/ 6-4:30
OConnor	John	Franklin	Harvest/Trim	Trimmer III	Week 1- Sun, Mon, Thurs, Fri/ Week 2- Mon, Tues, Wed, Sat/ 6-4:30
Oliver	Sixto	Franklin	Harvest/Trim	Trimmer I	M-F 3:00P-11:30P
Ortiz	Steve	Franklin	Kitchen	Dishwasher	M-F 3:30PM - 12:00AM
Ortiz Rivera	Alex	Franklin	Flower Production	Joint Roller	M-F 3:00PM - 11:30PM
Palumbo	Nicholas	Franklin	Cultivation	Cultivator II	Week 1- Mon, Tues, Wed, Sat/ Week 2- Sun, Wed, Thurs, Fri/ 7-5:30
Pena-Lugo	Alex	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM
Pereira	Dajon	Franklin	MIP	MIP Lab Technician	M-F 3:45 PM - 12:15 AM
Perry	Brianne	Franklin	Flower Production	Joint Roller	M-F 6:-00AM -2:30PM
Piccinin	Katherine	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Pierel	Nolan	Franklin	Environmental Services	Environmental Services Technician II	Wednesday - Saturday 9:00a - 7:30p
Pizzelli	Stephen	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Pombo	Mark	Franklin	Extraction	Extractor II	M-F 5:45 AM - 2:15 PM
Proulx Bruneau	Scott	Franklin	Cultivation	Cultivation Team Member	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Mon, Thurs, Fri 7am-5:30pm
Pulling	Karen	Franklin	Inventory	Inventory Specialist	6-230a (M-F)
Rempelakis	Belinda	Franklin	Cure Room	Cure Room Technician	Week One: Mon, Tue, Wed, Sat Week Two: Sun, Wed, Thurs, Fri 6:00a-4:30p

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Renzi	David	Franklin	Environmental Services	Environmental Services Technician I	Monday - Friday 11:00a - 7:30p
Richardson	Tamara	Franklin	Kitchen	Dishwasher	M-F 3:30PM - 12:00AM
Rinder	Gregory	Franklin	Environmental Services	Environmental Services Technician I	Wednesday - Saturday 5:00a - 3:30p
Roe	Nicholas	Franklin	Extraction	Extractor II	M-F 2:15 PM - 10:45 PM
Rooney	John	Franklin	Flower Production	Fresh Pack Team Member	M-F 3:00PM - 11:30PM
Rousseau	Jade	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Ruby	Zachary	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Salvas	Janet	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Sanchez	Andres	Franklin	Cultivation	Cultivator II	Week 1- Sun, Mon, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Sanchez	Sanchez	Franklin	Harvest/Trim	Trimmer III	M-F 6:00a-2:30p
Santiago	Jimmy	Franklin	Flower Production	Fresh Pack Team Member	M-F 3:00PM - 11:30PM
Santillo	Scott	Franklin	MIP	MIP Lab Technician II	M-F 3:45 PM - 12:15 AM
Santoos	David	Franklin	Inventory	Inventory Specialist	230-11 (M-F)
Schiappucci	Joshua	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Schkrioba	Karl	Franklin	Environmental Services	Environmental Services Technician II	Tuesday 9:00a -7:30p, Thursday - Saturday 9:00a - 7:30p
Schneir	Samson	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Seadale	Nicholas	Franklin	Cultivation	Cultivation Technician I	Week 1- Mon, Tues, Thurs, Sat Week 2- Sun, Wed, Thurs, Fri 7am-5:30pm
Settipane	Nikkiya	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Shannon	Martin	Franklin	MIP	MIP Lab Technician	M-F 3:45 PM - 12:15 AM
Sheehy	Gregory	Franklin	Facilities	Maintenance Technician, II	MON-FRI 7AM-330PM

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Sherwood	Sheldon	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Smith	Marlon	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM
Smith	Jonathan	Franklin	Inventory	Inventory Specialist	6-230a (M-F)
Sousa	Derrick	Franklin	Cure Room	Cure Room Technician	Week One: Sun, Wed, Thurs, Fri Week Two: Mon, Tue, Wed, Sat 6:00a-4:30p
Spence	William	Franklin	IPM	IPM Scout	Week 1: Tues, Wed, Thurs, Sat Week 2: Sun, Tues, Weds, Thurs all 7-5:30
Stallworth	Mercedes	Franklin	Inventory	Harvest Production Specialist	Week 1- Sun, Wed, Thurs, Fri/ Week 2- Mon, Tues, Fri, Sat/6-4:30
Stallworth	Benjamin	Franklin	Inventory	Harvest Production Specialist	10-630 (M-F)
Stephens	Jeremy	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM
Sternberg	Melissa	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Sternberg	Eric	Franklin	Environmental Services	Environmental Services Technician I	Sunday - Wednesday 9:00a - 7:30p
Stone	Channing	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Tues, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm
Swanson	Rebecca	Franklin	MIP	MIP Lab Technician	M-F 3:45 PM - 12:15 AM
Sweatt	Adam	Franklin	Kitchen	Dishwasher	M-F 6:30AM - 3:00PM
Taft	Thomas	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM

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Tassinari	Nicholas	Franklin	Environmental Services	Environmental Services Technician II	Wednesday - Saturday 9:00a - 7:30p
Tataje	Eloy	Franklin	IPM	IPM Team Member	Week 1: Mon Tues Wed Sat Week 2: Sun, Mon, Thurs, Fri all 7-5:30
Tonelli	Kyle	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Townley	Jared	Franklin	Extraction	Extraction Prep Technician	M-F 5:45 AM - 2:15 PM
Trudel	Scott	Franklin	Environmental Services	Environmental Services Technician I	Wednesday - Saturday 5:00a - 3:30p
Truong	Tai	Franklin	Cultivation	Cultivation Team Member	Week 1- Mon, Tues, Wed, Sat Week 2- Sun, Tues, Thurs, Fri 7am-5:30pm
Tweedly	Michael	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Tweedly	Colin	Franklin	PM Processing	Processing Team Member I	FURLOUGH 5:30pm-2:00 AM
Valentin	Joseluis	Franklin	Environmental Services	Environmental Services Technician I	Sunday - Wednesday 5:00a - 3:30p
Vota	Justine	Franklin	MIP	MIP Lab Technician II	M-F 3:45 PM - 12:15 AM
Walker	Walker	Franklin	Harvest/Trim	Trimmer II	M-F 6:00a-2:30p
Wall	Christopher	Franklin	Flower Production	Fresh Pack Team Member	M-F 6:-00AM -2:30PM -
Waters	Waters	Franklin	Harvest/Trim	Batch Packager	Week 1- Sun, Tues, Wed, Thurs/ Week 2- Mon, Tues, Fri, Sat/ 6-4:30
Weyker	Jamie	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
White	Benjamin	Franklin	Kitchen	Kitchen Processor	M-F 3:30PM - 12:00AM
Whyte	Kyle	Franklin	Kitchen	Cook	M-F 6:30AM - 3:00PM
Wolochowicz	Alex	Franklin	IPM	IPM Scout	Mon to Friday 7-3:30 both weeks
Wong	Damian	Franklin	MIP	MIP Lab Technician II	M-F 6:45 AM - 3:45 PM
Young	Leon	Franklin	Flower Production	Joint Roller II	M-F 6:-00AM -2:30PM

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Young	Zahir	Franklin	Inventory	Inventory Specialist	230-11 (M-F)
Zaccagnini	Marc	Franklin	Inventory	Inventory Specialist	6-230a (M-F)
Zwirbla	Edward	Franklin	Cultivation	Cultivation Team Member	Week 1- Sun, Wed, Thurs, Fri Week 2- Mon, Tues, Wed, Sat 7am-5:30pm

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# EXHIBIT B

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION ONE**

NEW ENGLAND TREATMENT	)	
ACCESS, LLC,	)	
Employer	)	
	)	
and	)	Case No. 01-RC-264290
	)	
LOCAL 1445, UNITED FOOD &	)	
COMMERCIAL WORKERS INT'L	)	
UNION, AFL-CIO, CLC	)	
Petitioner,	)	
	)	

**OPPOSITION TO EMPLOYER’S MOTION FOR COLLATERAL  
INVESTIGATION, DISMISSAL OF PETITION AND POSTPONEMENT OF HEARING**

Now comes the Petitioner, United Food and Commercial Workers, Local 1445, and hereby files this opposition to the Employer’s motion for collateral investigation, dismissal of petition, and postponement of hearing.

As the Region is well aware, it is the Board’s longstanding position that a petitioner’s showing of interest is an administrative matter that is completely subject to the discretion of the Board and, as such, may not be litigated. *O.D. Jennings & Co.*, 68 NLRB 516 (1946); *accord ADT, LLC*, 365 NLRB No. 77 at n. 7 (May 17, 2017). As the filing of motions with legal argument is the quintessential underpinning of litigation, the Employer’s motion here is plainly an inappropriate attempt to litigate a matter that may not be raised in such a manner and should be dismissed on that ground alone.

Nevertheless, even were the Region inclined to consider the Employer’s request for administrative reinvestigation of the showing of interest, the Region would be constrained to confirm its original determination based on the sheer extent of the showing of interest the Union

submitted in this matter. In this regard, while the Union strenuously disagrees that Jonathan Martins is a supervisor within the meaning of Section 2(11) of the Act, the Employer's own submission makes clear that any supervisory authority he is alleged to have had (prior to his unlawful discharge) was limited to the employees in the Kitchen. That said, putting aside the dispute over Mr. Martin's supervisory status, and putting aside any argument the Union might make as to the role Mr. Martins actually had in soliciting support for the Union, the only authorization cards that would potentially be impacted here would be those from employees in the Kitchen. *See Dominos Pizza LLC.*, 368 NLRB No. 142 (Dec. 16, 2019) (noting with approval that the Board's holdings regarding a supervisor's involvement in solicitation cards relate only to cards obtained "from his or her subordinates"), citing *Harborside Healthcare, Inc.*, 343 NLRB No. 100 (Dec. 8, 2004); *accord Glen's Market*, 344 NLRB. No. 25 (Feb. 22, 2005) (finding supervisors' conduct to be not objectionable because of the lack of evidence that it was directed to employees whom the supervisors actually supervised); *SNE Enters.*, 348 NLRB 1041, 1042 (2006) (distinguishing *Glen's Market* by noting that supervisors solicited authorization cards from their subordinates); *Madison Square Garden Ct, LLC*, 350 NLRB 117, 122 (2007) (same); *Chinese Daily News*, 344 NLRB 1071, 1072, 1073 n. 16 (2005) (noting that all the employees under the supervisor's supervision were subjected to the objectionable conduct, and concluding that the supervisor's "solicitation and collection of authorization cards *from the book department employees whom he supervised* was inherently coercive") (emphasis added)

As is clear from the face of the Union's showing of interest, even were the Region to eliminate from consideration any cards the Union may have submitted on behalf of Kitchen employees, the Union would still maintain a more-than-adequate showing of interest to support the petition. The Region must therefore find that the Union has submitted an appropriate

showing of interest and proceed with the processing of the petition. Furthermore, the Employer's allied suggestion that the processing of the petition should be blocked due to some potential unfair labor practice must be dismissed on the ground that there is no such unfair labor practice charge pending and that, even if there were, such ULP charge would not require blocking of the petition pursuant to the Board's current blocking charge standards. Indeed, any suggestion that the actions of this alleged supervisor would interfere with a free and fair election by sending the message to employees that their working conditions would be negatively impacted unless they unionize has been fully eradicated by the fact that the Employer **FIRE** **HIM** on July 15, 2020. *See* Case No. 01-CA-263053.

WHEREFORE, the Union respectfully requests that the Region deny the Employer's motion and proceed with the hearing as scheduled.

Respectfully submitted,

UFCW, LOCAL 1445,

by its attorneys,



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[arobertson@pylerome.com](mailto:arobertson@pylerome.com)

Date: August 26, 2020

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on August 26, 2020, a copy of the above document was served on Counsel for the Employer, Neil V. McKittrick and Lorenzo R. Cabantog, by email to [neil.mckittrick@ogletree.com](mailto:neil.mckittrick@ogletree.com) and [lorenzo.cabantog@ogletree.com](mailto:lorenzo.cabantog@ogletree.com).



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Alfred Gordon O'Connell

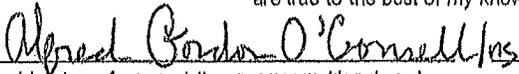
# EXHIBIT C

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-263053	Date Filled 7-15-20

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>	
a. Name of Employer New England Treatment Access	
b. Tel. No. 508-528-0093	
c. Cell No.	
f. Fax No.	
d. Address (Street, city, state, and ZIP code) 5 Forge Parkway Franklin MA 02038	e. Employer Representative Matt Lowther
g. e-mail mlowther@liveparallel.com	
h. Number of workers employed 190	
i. Type of Establishment (factory, mine, wholesaler, etc.) Marijuana cultivation and production	j. Identify principal product or service recreational and medicinal marijuana
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) <del>8(a)(5) and (3)</del> (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On or around July 15, 2020, the Employer discharged unit eligible employee Jonathan Martins for his protected Section 7 activity	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Food and Commercial Workers Union 1445	
4a. Address (Street and number, city, state, and ZIP code) 30 Storgis Way Dedham, MA 02026	
4b. Tel. No. 781 461-6775	
4c. Cell No.	
4d. Fax No.	
4e. e-mail	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Food and Commercial Workers Union 1445	
<b>6. DECLARATION</b>	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
 Alfred Gordon O'Connell <small>(signature of representative or person making charge)</small>	
Alfred Gordon O'Connell <small>(Print/type name and title or office, if any)</small>	
Pyle Rome & Ehrenberg, 2 Liberty Square, 10th Floor Address Boston, MA 02109	
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.