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KIM C. CORDOVA  
President

KEVIN R. SCHNEIDER  
Secretary-Treasurer

October 29, 2020

VIA E-FILE

Office of the Executive Secretary  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570-0001

Re: Notice of Supplemental Authority, *Dillon Companies, LLC dba King Soopers and UFCW, Local 7*, Case No. 27-RC-264824

Dear Executive Secretary:

On October 28, 2020, the Employer e-filed a letter to the Office of the Executive Secretary providing notice of a supplemental authority to its Request for Review of the Regional Director's Decision and Direction of Election in the above-captioned case.

The supplemental authority is factually and legally inapposite. Contrary to the Employer's contention, the Regional Director addressed three prior Decisions from the Region including the same parties involved here, explaining that none involved the store at issue in the instant petition. *See 27-RC-264824*, Decision and Direction of Election, at n.5 (October 7, 2020). In addition to the noted fact that each of these concerned different stores than the Petition here, the Decision in *27-RC-27-RC-104452* concerning Starbucks and Deli employees is entirely distinguishable and inapplicable here. *See* Petitioner's Brief in Opposition to Employer's Request for Review of the Regional Director's Decision and Direction of Election, at 7-8, 23 (Oct. 26, 2020); Petitioner's Post-Hearing Brief at 31-32 (Sept. 18, 2020). The facts in the Petition at issue in this case bear no resemblance to those in *Davidson Hotel Co. v.*

*NLRB*, No. 19-1235, 2020 WL 6220012 (D.C. Cir. Oct. 23, 2020),<sup>1</sup> where the subsequent petitions involved the same facility and were filed immediately following dismissal of the earlier petitions.

Best regards,

/s/ Todd McNamara  
Todd McNamara, General Counsel  
Samantha Palladino, Associate General Counsel  
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<sup>1</sup> A copy of the cited authority is attached as Exhibit A to Employer's October 28, 2020 letter.

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

**UNITED FOOD AND COMMERCIAL  
WORKERS UNION, LOCAL NO. 7,**

**Petitioner,**

**and**

**KING SOOPERS**

**Employer.**

**Case No. 27-RC-264824**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of October, 2020, Petitioner's Letter in response to the Employer's Notice of Supplemental Authority was e-filed with the Executive Secretary of the National Labor Relations Board and the Regional Director for Region 27, and served via email on the Regional Director for Region 27, Paula Sawyer (paula.sawyer@nlrb.gov) and counsel for the Employer, Patrick Scully (pscully@shermanhoward.com) and James Korte (jkorte@shermanhoward.com).

/s/ Samantha Palladino  
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