

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

In a Matter Between: )  
)  
NATIONAL NURSES ORGANIZING )  
COMMITTEE- TEXAS/NATIONAL )  
NURSES UNITED (BAY AREA )  
HEALTHCARE GROUP, LTD. d/b/a ) Case 16-CB-225123  
CORPUS CHRISTI MEDICAL CENTER, an )  
indirect subsidiary of HCA Holdings, Inc.)  
Respondent, )  
)  
and )  
)  
ESTHER MARISSA ZAMORA, an Individual )  
Charging Party. )  
\_\_\_\_\_ )

---

**RESPONDENT’S REPLY TO CHARGING PARTY’S OPPOSITION TO ACTING  
GENERAL COUNSEL’S MOTION TO REMAND THE COMPLAINT TO THE  
REGIONAL DIRECTOR FOR DISMISSAL, OR, ALTERNATIVELY, TO DISMISS  
THE COMPLAINT**

---

NATIONAL NURSES ORGANIZING COMMITTEE/  
NATIONAL NURSES UNITED (NNOC/NUU)  
LEGAL DEPARTMENT  
Micah Berul  
155 Grand Avenue  
Oakland, CA 94612  
Telephone (510) 610-7791  
Fax (510) 663-4822  
[mberul@nationalnursesunited.org](mailto:mberul@nationalnursesunited.org)  
Counsel for Respondent, NNOC – Texas/NUU

Pursuant to the Rules and Regulations of the National Labor Relations Board, Respondent National Nurses Organizing Committee-Texas/National Nurses United (the “Union”) hereby replies to Charging Party’s March 2, 2021 Opposition (“Opposition”) to the Acting General Counsel’s Motion to Remand the Complaint to the Regional Director for Dismissal, or, Alternatively, to Dismiss the Complaint, which was filed by the Counsel for the Acting General Counsel on February 23, 2021 (“Acting GC’s Motion”).

The Union rejects each argument set forth by Charging Party in its Opposition. The Complaint in this matter should never have been issued at the direction of the former General Counsel in the first instance; and it is certainly within the prosecutorial authority of the duly designated Acting General Counsel to move to remand the Complaint to the Regional Director for dismissal and/or urge the Board to dismiss the Complaint. As Counsel for the Acting General Counsel states in the Acting GC’s Motion, the Complaint is “inconsistent with Board Law and Circuit Court enforcement thereof. . . a waste of valuable Agency resources and not in the public interest.” See GC’s Motion at 3.

Accordingly, the Union respectfully requests that the Board grant the Acting GC’s Motion.

DATED: March 16, 2021

Respectfully submitted,

NATIONAL NURSES ORGANIZING COMMITTEE/  
NATIONAL NURSES UNITED (NNOC/NUU)  
LEGAL DEPARTMENT

/s/ Micah Berul

---

Micah Berul  
Counsel for Respondent, NNOC-Texas/NUU

**PROOF OF SERVICE**

The undersigned hereby declares under penalty of perjury that I am a citizen of the United States, over the age of eighteen years, not a party to the within action and that my business address is 155 Grand Avenue, Oakland, California 94612.

On the date below, I served the foregoing document entitled

**RESPONDENT’S REPLY TO CHARGING PARTY’S OPPOSITION TO ACTING  
GENERAL COUNSEL’S MOTION TO REMAND THE COMPLAINT TO THE  
REGIONAL DIRECTOR FOR DISMISSAL, OR, ALTERNATIVELY, TO DISMISS  
THE COMPLAINT**

via Electronic Mail as follows:

Roberto Perez, Esq.  
NLRB Region 16  
Roberto.Perez@NLRB.gov

Glenn M Taubman  
NRTW  
gmt@nrtw.org

Aaron Solem  
NRTW  
abs@nrtw.org

Paul Beshears  
Ford & Harrison LLP  
pbshears@fordharrison.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 16, 2021, at Oakland, California.

/s/ Tym Tschneaux  
Tym Tschneaux