



National Labor Relations Board

Weekly Summary of NLRB Cases

Division of Information

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CASES SUMMARIZED
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CNN America, Inc. and Team Video Services, LLC	Washington, D.C.	1
New York Newspaper Printing Pressmen's Union No. 2	New York, NY	1

OTHER CONTENTS

List of Decisions of Administrative Law Judges	1
List of Unpublished Board Decisions and Orders in Representation Cases <ul style="list-style-type: none">Contested Reports of Regional Directors and Hearing OfficersUncontested Reports of Regional Directors and Hearing Officers	2

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CNN America, Inc. and Team Video Services, LLC, Joint Employers (5-CA-31828, 33125; 352 NLRB No. 64) Washington, D.C. May 9, 2008. The administrative law judge ruled, during the hearing, that (1) the Respondent must produce documents subpoenaed by the General Counsel except to the extent that he specifically rules otherwise or defers making a decision on particular issues; and (2) the Respondent must produce certain documents listed on the Respondent's privilege and redaction logs for in camera inspection. The Board granted the General Counsel's motion to bifurcate consideration of issues concerning privilege; denied the General Counsel's motion to bifurcate consideration of issues concerning payroll records requested by the General Counsel's subpoena; denied the Respondent's motion to strike the General Counsel's motion; granted the Respondent special permission to appeal the judge's denial of its petition to revoke the subpoena concerning the documents listed on privilege and redaction logs; denied the Respondent's special appeal on the merits, finding that in camera examination of documents to evaluate claims of privilege is a proper exercise of the judge's authority; and ordered the Respondent to produce those documents to the judge for in camera inspection. Accordingly, the Board remanded the proceeding to the judge for further action consistent with its order. [\[HTML\]](#) [\[PDF\]](#)

(Chairman Schaumber and Member Liebman participated.)

New York Newspaper Printing Pressmen's Union No. 2 (New York Times Co.) (2-CB-20454-E; 352 NLRB No. 63) New York, NY May 9, 2008. The Board (Chairman Schaumber and Member Liebman) adopted the administrative law judge's recommended Order and denied the application of the Applicant, New York Newspaper Printing Pressmen's Union No. 2, for attorney's fees and expenses under the Equal Access to Justice Act (EAJA). In denying the application, the Board agreed with the judge that the Applicant was not a "prevailing party" either under *Buckhannon Board & Care Home, Inc. v. West Virginia Dept. of Health and Human Resources*, 532 U.S. 598 (2001), or under Board precedent prior to *Buckhannon*, and it was on this basis that the Board adopted the judge's recommended Order and dismissed the EAJA application. In dismissing the application, Chairman Schaumber also relied on the judge's finding that the Applicant did not meet its burden of establishing that it was financially eligible for an EAJA award. [\[HTML\]](#) [\[PDF\]](#)

(Chairman Schaumber and Member Liebman participated.)

Adm. Law Judge Robert A. Giannasi issued his Order Granting Motion to Dismiss Application for Fees on Oct. 1, 2007.

LIST OF DECISIONS OF ADMINISTRATIVE LAW JUDGES

Narricot Industries, L.P. (Carpenters Local 2316) Boykins, VA May 6, 2008. 11-CA-21827, et al.; JD(ATL)-15-08, Judge Margaret G. Brakebusch.

East Bronx NAACP Child Development Center, Inc. (AFSCME District Council 1707) Bronx, NY May 8, 2008. 2-CA-38622; JD(NY)-17-08, Judge Steven Davis.

Pride Ambulance Co., d/b/a Pride Care Ambulance, Care-A-Van (Teamsters Local 7) Kalamazoo, MI May 8, 2008. 7-CA-50741; JD(ATL)-16-08, Judge George Carson.

**LIST OF UNPUBLISHED BOARD DECISIONS AND ORDERS
IN REPRESENTATION CASES**

*(In the following cases, the Board considered exceptions to
Reports of Regional Directors or Hearing Officers)*

DECISION AND CERTIFICATION OF REPRESENTATIVE

Shank Screw Products Co., Cicero, IL, 13-RC-21661, May 9, 2008 (Chairman Schaumber and Member Liebman)

*(In the following cases, the Board adopted Reports of
Regional Directors or Hearing Officers in the absence of exceptions)*

DECISION AND CERTIFICATION OF REPRESENTATIVE

Securiguard, Inc., Kingsville, TX, 16-RC-10826, May 9, 2008 (Chairman Schaumber and Member Liebman)

**DECISION AND DIRECTION [that Regional Director
open and count ballots]**

Ohio Structures, Inc., Berlin Center, OH, 8-RC-16925, May 8, 2008
