

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

**SWIFT TRANSPORTATION CO.
INC.**

Respondent,

and

Case No. 21-CA-38735

**INTERNATIONAL BROTHERHOOD
OF TEAMSTERS,**

Charging Party,

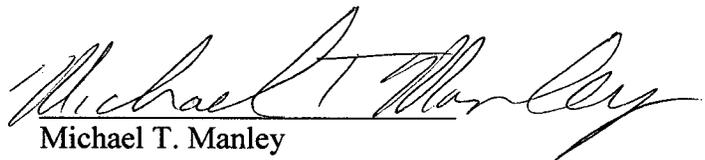
**CHARGING PARTY'S EXCEPTIONS
TO THE DECISION OF
THE ADMINISTRATIVE LAW JUDGE**

Pursuant to §102.46 of the Rules and Regulations of the National Labor Relations Board, the International Brotherhood of Teamsters ("Teamsters"), Charging Party herein, submits the following exceptions to the decision by the Administrative Law Judge ("ALJ") in this matter.

- (1)(i) The Teamsters take exception to the ALJ's decision to dismiss the complaint allegation that the Respondent, Swift Transportation Co. Inc. ("Swift") discharged employee Bismark Sanchez in violation of § 8(a)(1) and (3) of the Act, 29 U.S.C. § 158(a)(1) and (3).
- (ii) The portion of the ALJ's decision relevant to this exception are as follows:
pages 1-13; page 16, lines 5-52, page 24, lines 40-52; page 25, page 26, lines 1- 2.

- (iii) The portions of the record relied upon are pp. 61-62, 103, 193- 279, 290-292, 345-348, 381-388, 414-417, 441-444, 477-479,552-568, 594-604, 620-769, 870-951
- (iv) The ALJ's decision to dismiss the charge relating to Bismark Sanchez's termination is not supported by the record evidence or applicable law.
- (2)(i) The Teamsters take exception to the ALJ's decision to dismiss the complaint allegation that the Respondent, Swift Transportation Co. Inc. ("Swift") discharged employee Anthony Herron in violation of § 8(a)(1) and (3) of the Act, 29 U.S.C. § 158(a)(1) and (3).
 - (ii) The portion of the ALJ's decision relevant to this exception are as follows: pages 1-13; pages 14-16; page 16, lines 1-2; page 23, lines 25-52, page 24, lines 1-37.
 - (iii) The portions of the record relied upon are: 38-49, 61-63, 424-520, 533-549, 620-769, 870-951.
 - (iv) The ALJ's decision to dismiss charge relating to Anthony Herron's discharge is not supported by the record evidence or applicable law.

Respectfully submitted,



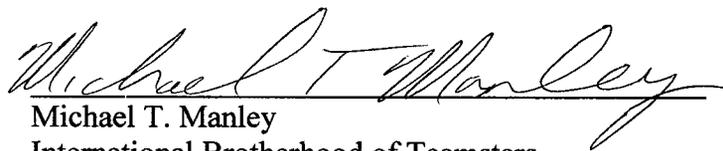
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CERTIFICATE OF SERVICE

I hereby certify that a copy of Charging Party's Exceptions to the Decision of the Administrative Law Judge was submitted by email to the Office of the Executive Secretary, National Labor Relations Board on March 1, 2010. The following parties were also served with a copy of Charging Party's Exceptions by electronic mail on March 1, 2010:

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