

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

VISION OF ELK RIVER, INC.

and

SUSIE STETLER, An Individual

Case 18-CA-19200

**EXCEPTIONS ON BEHALF OF
THE ACTING GENERAL COUNSEL**

On July 7, 2010, Administrative Law Judge Richard A. Scully issued a Decision in this case. Acting General Counsel files the following exceptions, along with a separate Brief in Support of the Acting General Counsel's Exceptions.

1. To the finding that the evidence of union animus on Respondent's part is too remote to support an inference that it was the motivation for its decision to lay off any of the alleged discriminatees in 2009. (ALJD 10: 25-28.)

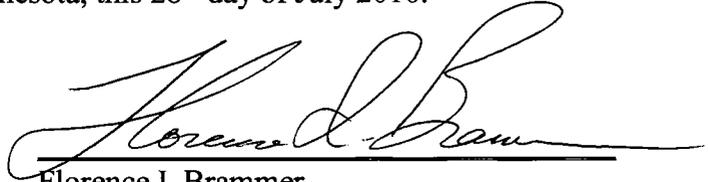
2. To the finding that General Counsel has not established a prima facie case by showing that there was a nexus between Respondent's union animus and the layoffs of the alleged discriminatees. (ALJD 10: 28-30.)

3. To the finding "[T]here [is] nothing else in the record to establish that Respondent harbored union animus at the time the instant layoffs occurred." (ALJD 9: 35-36.)

4. To the conclusion that the Respondent did not commit any of the violations of Section 8(a)(3) and (1) of the Act alleged in the Complaint. (ALJD 10: 38-39.)

5. To the failure to find that Respondent violated Section 8(a)(4) of the Act as alleged in the Complaint.

Dated at Minneapolis, Minnesota, this 28th day of July 2010.

A handwritten signature in cursive script, reading "Florence I. Brammer", written over a solid horizontal line.

Florence I. Brammer
Counsel for Acting General Counsel
National Labor Relations Board
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