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8 UNITED STATES OF AMERICA
9 NATIONAL LABOR RELATIONS BOARD
10 REGION 21

11 2 SISTERS FOOD GROUP, INC.) Case. 21-CA-38915
12 Employer) 21-CA-38932
13 and)
14 UNITED FOOD AND COMMERCIAL) STATEMENT POSITION WITH
15 WORKERS INTERNATIONAL UNION,) RESPECT TO MOTION TO INTERVENE
16 LOCAL 1167)
17 Charging Party/Petitioner) Case 21-RC-21137
18 2 SISTERS FOOD GROUP, INC.)
19 Employer)
20 and)
21 UNITED FOOD AND COMMERCIAL)
22 WORKERS INTERNATIONAL UNION,)
23 LOCAL 1167)
Charging Party/Petitioner)

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25 Petitioner and Charging Party does not object to the intervention by Fresh & Easy
26 Neighborhood Market. It is plainly the successor and should be bound by the decisions of the
27 Board in these cases.

1 Petitioner and Charging Party objects to the Motion to Supplement the Record. These are
2 facts which need to be litigated, if necessary, in further hearings. To that extent, Petitioner and
3 Charging Party join in the position of counsel for the acting General Counsel. To be clear, we do
4 not oppose intervention because Fresh & Easy is conceding its successorship status. Beyond that,
5 no further action should be permitted.

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Dated: August 25, 2010

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: 
CAREN P. SENCER for
DAVID A. ROSENFELD
Attorneys for Charging Party

124365/586134

PROOF OF SERVICE
(CCP 1013)

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On August 25, 2010, I served upon the following parties in this action:

Alan R. Berkowitz
Catherine D. Lee
Bingham McCutchen LLP
Three Embarcadero Center
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Irma Hernandez
Jean Libby
National Labor Relations Board,
Region 21
888 South Figueroa Street
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Los Angeles, CA 90017-5449
Fax: (213) 894-2778

copies of the document(s) described as:

STATEMENT POSITION WITH RESPECT TO MOTION TO INTERVENE

BY EMAIL

BY FACSIMILE I caused to be transmitted each document listed herein via the fax number(s) listed above or on the attached service list.

BY MAIL I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on August 25, 2010.

/s/Katrina Shaw
Katrina Shaw