

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
REGION 8

LANDMARK FAMILY FOODS, INC., dba  
CHURCH SQUARE SUPERMARKET  
Respondent

and

CASE NOS. 8-CA-37667  
8-CA-38794

UNITED FOOD & COMMERCIAL WORKERS  
UNION LOCAL 880  
Petitioner

**EXCEPTIONS ON BEHALF OF RESPONDENT**  
**LANDMARK FAMILY FOODS**

Pursuant to § 102.46 of the Rules and Regulations, Series 8, of the National Labor Relations Board, 29. C.F.R. § 102.46 (2010), Respondent Landmark Family Foods, Inc. dba Church Square Supermarket, (hereinafter "Employer" or "Landmark" or "Respondent") files these exceptions to the decision of the Administrative Law Judge ("ALJ"), dated November 2, 2010.

Respondent's exceptions are directed both generally to the entire report of the ALJ and specifically to his findings, conclusions, and recommendations, hereinafter set forth, relating to the alleged violations by Respondent of sections 8(a)(1) and (5) of the National Labor Relations Act.

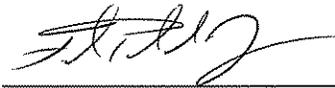
Respondent's exceptions are as follows:

1. The Administrative Law Judge erred in finding, as set forth on page 8 of his decision, that the Respondent had not reached valid impasse entitling it to make unilateral changes in benefits.
2. The Administrative Law Judge erred in finding, as set forth on page 15 of his decision, that in light of all of the facts and circumstances, Respondent acted in bad faith and in

violation of the Act in responding to Union's requests for financial statements, and in failing to find that Respondent was justified in its delay in responding to these requests.

3. The Administrative Law Judge erred in finding, as set forth on page 9 of his decision, that the Union remained flexible and willing to bargain in good faith throughout the negotiations process.

Respectfully submitted,



---

Fred S. Papalardo (#0083189)  
REMINGER CO., L.P.A.  
1400 Midland Building  
101 Prospect Avenue, West  
Cleveland, Ohio 44115  
(216) 687-1311  
Facsimile: (216) 430-2250  
E-mail: [fpapalardo@reminger.com](mailto:fpapalardo@reminger.com)

*Attorney for Respondent  
Landmark Family Foods, Inc.  
dba Church Square Supermarket*