

WULIGER, FADEL & BEYER, LLC.

Attorneys at Law  
www.wfblaw.com

TIMOTHY R. FADEL, ESQ.  
[tfadel@wfblaw.com](mailto:tfadel@wfblaw.com)

The Brownell Building  
1340 Sumner Avenue  
Cleveland, Ohio 44115-2851  
216-781-7777  
216-781-0621 fax  
[wfblaw@wfblaw.com](mailto:wfblaw@wfblaw.com)

MARCH 7, 2012

Lester A. Heltzer  
Executive Secretary  
National Labor Relations Board  
1099 14th St. N.W.  
Washington, D.C. 20570-0001

RE: The American Bottling Co., Inc., Case No. 8-CA-39327

Dear Secretary Heltzer:

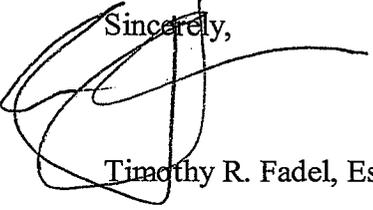
The undersigned represents the interest of Teamsters Local 293 with regard to the above referenced matter. As you are aware, the Intervenor in this matter, Teamsters Local 348, recently filed a Motion for Reconsideration of the Board's Opinion & Order in this matter. Local 293 and the General Counsel have both submitted their respective responses to the Motion for Reconsideration. It is my understanding that this Motion for Reconsideration is still pending.

As you may or may not be aware, in addition to filing the unfair labor practice charges that gave rise to the Board's decision and order in Case No. 8-CA-39327, Local 293 has also filed a representational petition with Region 8 that concerns the same employer, local unions, and employees that were party to and affected by the Board's Order & Opinion in Case No. 8-CA-39327. This representational petition filed by Local 293 bears Case No. 8-RC-017064. A hearing concerning that petition was held in January of this year and the parties have fully briefed the issue. A decision from the Regional Director regarding Local 293's petition in Case No. 8-RC-017064, however, has yet to be issued.

It is my understanding that the Regional Director is delaying or otherwise abstaining from issuing his decision regarding the representational petition until such time as the Board has ruled on Local 348's Motion for Reconsideration in Case No. 8-CA-39327. Unfortunately, the decision to delay issuing a decision in Case No. 8-RC-017064 until the board issues its decision on Local 348's Motion for Reconsideration in Case No. 8-CA-39327 only serves to further delay and frustrate the affected employees exercise of their rights under the NLRA. As such, I am writing to you today in order to request that the Board expedite a determination regarding the Motion for Reconsideration filed by Local 348 in Case No. 8-CA-39327. By expediting the

processing of the Motion for Reconsideration in 8-CA-39327, the Board can ensure that the processing of Local 293's petition in 8-RC-017064 is not subject to further delay.

I thank you for your time and consideration in this matter and invite you to contact me at your convenience with any questions or concerns.

Sincerely,  
  
Timothy R. Fadel, Esq.

TRF/mr  
CC: Wallington; Bartel; Calatrello