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9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

12 JILL COFFMAN, Regional Director of  
 13 Region 20 of the National Labor Relations  
 14 Board, for and on behalf of the  
 NATIONAL LABOR RELATIONS  
 BOARD,<sup>1</sup>

15 Petitioner,

16 vs.

17 UNITED SITE SERVICES OF  
 18 CALIFORNIA, INC.,

19 Respondent.

Case No. 2:15-CV-01360-TLN-CKD

**STIPULATION AND ORDER OF  
 DISMISSAL OF ACTION PURSUANT TO  
 FED. R. CIV. P. 41(a)(1)(A)(ii)**

21 IT IS HEREBY STIPULATED AND AGREED by and between Petitioner Jill Coffman,  
 22 Regional Director of Region 20 of the National Labor Relations Board, and Respondent United  
 23 Site Services of California, Inc. (collectively “the Parties”), by their respective attorneys, pursuant  
 24 to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(ii) and Local Civil Rule 143, as follows:

25 1) WHEREAS, on June 26, 2015, Petitioner filed with this Honorable Court a  
 26 Petition for Injunction Under Section 10(j) of the National Labor Relations Act, as Amended [29

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 28 <sup>1</sup> Jill Coffman has succeeded Joseph F. Frankl as Regional Director of Region 20 of the National  
 Labor Relations Board. See Fed. R. Civ. P. 25(d).

1 U.S.C. §160(j)] (Docket No. 1);

2 2) WHEREAS, on March 14, 2016, this Court issued its Temporary Injunction Order  
3 requiring Respondent to cease and desist from taking certain actions and to take certain  
4 affirmative actions (Docket No. 31);

5 3) WHEREAS, on April 8, 2016, pursuant to the Court’s March 14 Temporary  
6 Injunction Order, Respondent filed a sworn declaration affirming that it had complied with the  
7 affirmative provisions of the Temporary Injunction Order (Docket No. 33);

8 4) WHEREAS, by letter dated June 15, 2018, Teamsters, Local 315 (“Union”), the  
9 heretofore exclusive collective-bargaining representative of the bargaining unit employees of  
10 Respondent at issue in the administrative complaint underlying this matter, formally disclaimed  
11 interest in representing said bargaining unit. As a result of that action, the Union no longer  
12 represents the bargaining unit employees in collective bargaining with Respondent, thereby  
13 mooted any on-going obligation Respondent would have under the Court’s March 14 Temporary  
14 Injunction Order to recognize and bargain with the Union;

15 5) WHEREAS, Respondent’s compliance with the affirmative provisions of the  
16 Court’s March 14 Temporary Injunction Order and the Union’s disclaimer of interest in  
17 representing Respondent’s bargaining unit have obviated and extinguished the need for continued  
18 injunctive relief;

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1 THE PARTIES HEREBY STIPULATE AND AGREE that the Court's March 14  
2 Temporary Injunction Order should be VACATED and that this action be, and hereby is,  
3 DISMISSED without prejudice.  
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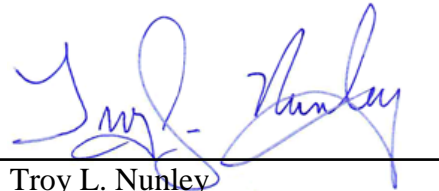
5 /s/ Richard J. McPalmer  
6 Richard J. McPalmer  
7 Counsel for Petitioner  
8 901 Market Street, Suite 400  
9 San Francisco, California 94103-1735  
10 (628) 221-8863

11 Dated this 24<sup>th</sup> day of July, 2018.

12 /s/ Tara L. Presnell  
13 Tara L. Presnell  
14 Counsel for Respondent  
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20 Dated this 8th day of August, 2018.

21 IT IS SO ORDERED at Sacramento, California, this 10<sup>th</sup> day of August, 2018.  
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24 Troy L. Nunley  
25 United States District Judge  
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