

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

National Labor Relations Board,

Petitioner,

-against-

**Atlanticare Management LLC d/b/a
Putnam Ridge Nursing Home,**

Respondent.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/19/2022**

1:22-mc-00003 (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Following a telephone conference with the parties, and for the reasons stated on the record, it is hereby ORDERED, as follows:

1. No later than January 11, 2023, Atlanticare Management LLC (“Atlanticare”) shall (a) take any further steps towards compliance with those aspects of the Second Circuit Judgment (ECF No. 35-1) as to which the National Labor Relations Board (“NLRB”) is seeking to hold Atlanticare in contempt and (b) shall advise the NLRB as to the steps taken.
2. No later than January 25, 2023, the NLRB shall file a letter with the Court setting forth (a) its position as to whether Atlanticare has fully complied with the Second Circuit Judgment and/or whether Atlanticare remains in contempt, and (b) what specific remedies (in addition to costs, expenses and attorneys’ fees) the NLRB seeks and legal authority in support of such remedies. The NLRB’s letter submission also may submit legal support for the imposition of costs, expenses and attorneys’ fees (but not the amount to be imposed, which would be subject to later determination).

3. No later than February 1, 2023, Atlanticare shall file its response to the NLRB's submission, which response shall include a discussion of why costs, expenses and attorneys' fees should not be imposed against Atlanticare.
4. No later than February 8, 2023, the NLRB shall file any reply.

SO ORDERED.

Dated: New York, New York
December 19, 2022



STEWART D. AARON
United States Magistrate Judge