

10(j) Authorizations

10/1/2010 to 7/31/2011

Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
FRENCH AMERICAN SCHOOL OF THE PACIFIC 36-CA-10711	9/20/2010	9/28/2010	10/4/2010 G = LBPH P = D =	10/12/2010	Partial Win	(1)

CASE NOTES:

GENERAL DIE CASTERS, INC. 08-CA-38916	8/30/2010	10/14/2010	10/20/2010 G = LBP P = D = H	10/22/2010	Won	(5)(8)
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CASE NOTES:

WILLAMETTE GLASS 36-CA-10688	10/15/2010	10/22/2010	10/27/2010 G = LBP P = D = H	11/9/2010	Settled Post-Petition	(1)
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CASE NOTES:

LINCOLN PARK CARE CENTER 22-CA-29323	10/22/2010	10/29/2010	11/3/2010 G = LBP P = H D =	11/4/2010	Partial Win	(1)
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CASE NOTES:

G = Intials of Board members who voted to grant the requested authorization.

P = Board member who voted to authorize injunctive relief in part.

D = Board members who voted to deny 10(j) authorization.

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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
KIKE TRANSPORT, INC. 24-CA-11504	10/18/2010	11/1/2010	11/3/2010 G = LBPH P = D =		Settled Pre-Petition	(1)

CASE NOTES:

ROSELAND MANAGEMENT COMPANY, LLC 29-CA-30311	10/22/2010	11/3/2010	11/9/2010 G = LBP P = H D =		Settled Pre-Petition	(1)
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CASE NOTES:

LONGY SCHOOL OF MUSIC 01-CA-46304	10/14/2010	11/4/2010	11/10/2010 G = LBP P = D = H	11/16/2010	Partial Win	(5)
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CASE NOTES:

BASIC GRAIN PRODUCTS INC. D/B/A TASTEMO 09-CA-45578	11/1/2010	11/9/2010	11/15/2010 G = LBP P = D = H	11/17/2010	Settled Post-Petition	(1)
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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
COOPERATIVE RESPONSE CENTER, INC. 26-CA-23564	10/14/2010	11/9/2010	11/15/2010 G = LBP P = D = H		Settled Pre-Petition	(5)(8)

CASE NOTES:

STERICYCLE, INC. 05-CA-36097	11/4/2010	11/12/2010	11/16/2010 G = LBPH P = D =		Settled Pre-Petition	(1)
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CASE NOTES:

DAYCON PRODUCTS, INC. 05-CA-35687	10/21/2010	11/24/2010	12/1/2010 G = LBP P = D = H	12/1/2010	Pending Post-Petition	(5)
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CASE NOTES:

SOUTHWEST REGIONAL COUNCIL OF CARPEN 21-CB-15017	10/1/2010	11/30/2010	12/7/2010 G = LBPH P = D =		Settled Pre-Petition	(9)
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CASE NOTES:

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D = Board members who voted to deny 10(j) authorization.

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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
SPURLINO MATERIALS OF INDIANAPOLIS, LLC 25-CA-31565	11/4/2010	12/2/2010	12/13/2010 G = LBPH P = D =	12/17/2010	Won	(5)

CASE NOTES:

RIVER MEDICAL INCORPORATED 28-CA-23204	12/1/2010	12/9/2010	12/16/2010 G = LBP P = D = H		Settled Pre-Petition	(1)
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CASE NOTES:

SOUTH JERSEY SANITATION CORPORATION 04-CA-37537	11/9/2010	12/13/2010	12/20/2010 G = LBPH P = D =	1/5/2011	Won	(1)
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CASE NOTES:

AMERIGAS PROPANE, INC. 08-CA-39059 Date GC Withdrew from Board: 1/11/2011	11/9/2010	12/23/2010	G = P = D =			(1)
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CASE NOTES:

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D = Board members who voted to deny 10(j) authorization.

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Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
SABRE MANUFACTURING, LLC 25-CA-31626	11/24/2010	12/27/2010	1/11/2011 G = LBP P = D = H		Settled Pre-Petition	(1)

CASE NOTES:

MANITEX LOAD KING, INC. 18-CA-19491	12/7/2010	1/3/2011	1/10/2011 G = LBP P = D = H	1/31/2011	Settled Post-Petition	
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CASE NOTES:

MARSH SUPERMARKETS, LLC 25-CA-31502	12/23/2010	1/7/2011	1/13/2011 G = LBP P = D = H	2/7/2011	Settled Post-Petition	(1)
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CASE NOTES:

AMERIGAS PROPANE, INC. 12-CA-26771	12/13/2010	1/21/2011	1/26/2011 G = LBP P = H D =		Settled Pre-Petition	(5)
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CASE NOTES:

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D = Board members who voted to deny 10(j) authorization.

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Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
GROSS SCHOOL BUS SERVICE, INC. 04-CA-37413 Date GC Withdrew from Board. 2/2/2011	12/20/2010	1/24/2011	G = P = D =			(5)

CASE NOTES:

TRICONT TRUCKING COMPANY 04-CA-37628	11/22/2010	1/24/2011	2/1/2011 G = LBP P = D = H	2/4/2011	Withdrawn	(5)
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CASE NOTES:

DYNAMIC ENERGY, INC. 09-CA-45772	1/12/2011	1/27/2011	2/2/2011 G = LBP P = H D =	2/4/2011	Partial Win	(2)(1)
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CASE NOTES:

AVANTI HEALTH SYSTEM, LLC; CHHP HOLDING 21-CA-39268	1/13/2011	2/1/2011	2/4/2011 G = LBP P = D = H	2/14/2011	Won	(7)
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CASE NOTES:

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D = Board members who voted to deny 10(j) authorization.

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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
CAREY SALT COMPANY 15-CA-19704	12/8/2010	2/4/2011	2/11/2011 G = LBP P = D = H	2/15/2011	Lost	(5)

CASE NOTES:

PTICEK BAKERY 13-CA-46328 Date GC Withdrew from Board: 2/15/2011	1/10/2011	2/4/2011	G = P = D =			(5)
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CASE NOTES:

KUNI HUBACHER MOTORS, LLC 20-CA-35228	12/1/2010	2/17/2011	2/23/2011 G = LBP P = D = H		Settled Pre-Petition	(4)
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CASE NOTES:

KITSAP MENTAL HEALTH SERVICES 19-CA-32269	2/7/2011	3/3/2011	3/9/2011 G = LP P = D = BH			(4)(5)
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D = Board members who voted to deny 10(j) authorization.

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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
PRESCHOOL OF AMERICA 02-CA-39988	2/2/2011	3/7/2011	3/15/2011 G = LBP P = D = H	3/17/2011	Settled Post-Petition	(2)(5)

CASE NOTES:

LAKWOOD MANOR NORTH 31-CA-29780	2/16/2011	3/14/2011	3/22/2011 G = LP P = D = H	3/28/2011	Settled Post-Petition	(4)
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CASE NOTES:

STAR WEST SATELLITE, INC 19-CA-32870	3/4/2011	3/16/2011	3/23/2011 G = LBP P = D = H		Settled Pre-Petition	(1)
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CASE NOTES:

A.D. CONNER, INC. 13-CA-46359	2/15/2011	3/18/2011	3/28/2011 G = LBP P = H D =	4/4/2011	Won	(3)(4)
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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
KINDRED HEALTHCARE SACRAMENTO 20-CA-35385	3/10/2011	3/21/2011	3/30/2011 G = LP P = D = H	4/5/2011	Settled Post-Petition	(1)

CASE NOTES:

K-VAT-T FOOD STORES INC. D/B/A FOOD CITY 09-CA-46125	2/4/2011	3/21/2011	3/29/2011 G = LBP P = D = H	4/5/2011	Pending Post-Petition	(1)
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CASE NOTES:

CASE FARMS PROCESSING, INC. 08-CA-39152	2/9/2011	3/22/2011	3/31/2011 G = LBP P = D = H	4/5/2011	Won	(5)(8)
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CASE NOTES:

THE PILOTS' ASSOCIATION FOR THE BAY AND 04-CA-37866	3/8/2011	3/22/2011	3/30/2011 G = P = D = LBPH			(1)
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D = Board members who voted to deny 10(j) authorization

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Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
VERITAS HEALTH SERVICES, INC. D/B/A CHINO 31-CA-29713	2/28/2011	3/22/2011	3/30/2011 G = LBP P = D = H	4/5/2011	Lost	(5)

CASE NOTES:

1621 ROUTE 22 WEST OPERATING CO., D/B/A 22-CA-29599	3/4/2011	3/25/2011	4/1/2011 G = LBH P = D =	4/7/2011	Pending Post-Petition	(1)(5)(15)
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CASE NOTES:

RAPID ARMORED CORP. 29-CA-30330 Date GC Withdrew from Board: 4/1/2011	3/7/2011	3/28/2011	G = P = D =			(5)(8)
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CASE NOTES:

LATINO EXPRESS 13-CA-46528	3/14/2011	3/31/2011	4/6/2011 G = LBP P = D = H	4/8/2011	Pending Post-Petition	(1)
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D = Board members who voted to deny 10(j) authorization.

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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
OS TRANSPORT LLC 32-CA-25100	3/18/2011	3/31/2011	4/6/2011 G = LBP P = H D =	4/21/2011	Won	(1)

CASE NOTES:

SOUTHEASTERN TIMBER PRODUCTS, LLC 26-CA-23899 Date GC Withdrew from Board: 4/6/2011	3/21/2011	4/5/2011	G = P = D =			(7)
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CASE NOTES:

NEONATAL ASSOCIATES OF CENTRAL NEW Y 03-CA-27900 Date GC Withdrew from Board: 4/13/2011	3/25/2011	4/11/2011	G = P = D =			(5)(8)
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CASE NOTES:

MCCLAIN & CO., INC. 22-CA-29792	3/28/2011	4/12/2011	4/18/2011 G = LBP P = D = H	4/27/2011	Won	(1)
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10/1/2010 to 7/31/2011

Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
REPUBLIC SERVICES, INC. 25-CA-31683 Date GC Withdrew from Board: 7/29/2011	3/21/2011	4/26/2011	5/3/2011 G = LBPH P = D =	5/11/2011	Withdrawn	(4)

CASE NOTES:

THE AMERICAN BOTTLING COMPANY, INC., D/ 08-CA-39327	4/4/2011	5/4/2011	5/11/2011 G = LBP P = D = H	5/18/2011	Pending Post-Petition	(6)
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CASE NOTES:

AMERICAN BAPTIST HOMES OF THE WEST D/B 32-CA-25247	4/7/2011	5/5/2011	5/11/2011 G = LBP P = D = H	5/20/2011	Won	(5)
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CASE NOTES:

NTN BOWER CORPORATION 10-CA-38816	4/5/2011	5/9/2011	5/20/2011 G = LBP P = D = H	5/27/2011	Lost	(4)
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D = Board members who voted to deny 10(j) authorization.

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10(j) Authorizations

10/1/2010 to 7/31/2011

Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
PACIFIC RAIL SERVICES, INC. 05-CA-36402 Date GC Withdrew from Board. 5/19/2011	5/2/2011	5/12/2011	G = P = D =			(1)

CASE NOTES:

QUALITY ROOFING 04-CA-37304	8/30/2010	5/18/2011	5/25/2011 G = LBP P = D = H	6/1/2011	Pending Post-Petition	(5)(8)
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CASE NOTES:

ENGINEERING CONTRACTORS, INC. 05-CA-36216	4/18/2011	5/25/2011	6/3/2011 G = LPBH P = D =	6/17/2011	Won	(3)(4)
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CASE NOTES:

IMC CORPORATION 25-CA-31788	5/18/2011	5/27/2011	6/3/2011 G = LBP P = D = H		Settled Pre-Petition	(1)
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Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
COOL HEAT LLC D/B/A FORREST SHEET META 04-CA-37553	5/20/2011	6/16/2011	6/22/2011 G = LBPH P = D =	6/27/2011	Won	(3)(4)

CASE NOTES:

MONOGRAM COMFORT FOODS, LLC 25-CA-31704	5/27/2011	6/17/2011	6/22/2011 G = LBP P = D = H	6/30/2011	Pending Post-Petition	(4)
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CASE NOTES:

HTH CORPORATION d/b/a PACIFIC BEACH HOT 37-CA-07311	6/21/2011	7/5/2011	7/15/2011 G = LBPH P = D =	7/5/2011	Pending Post-Petition	(5)
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CASE NOTES:

HYUNDAI ROTEM USA CORPORATION 04-CA-37764	6/7/2011	7/20/2011	7/27/2011 G = LBP P = D = H		Pending Pre-Petition	(5)(8)
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CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
AMERICAN RED CROSS 33-CA-15821	6/20/2011	7/21/2011	7/27/2011 G = LBP P = D = H	8/1/2011	Pending Post-Petition	(5)(8)

CASE NOTES:

THE SAVOY CONTRACTORS GROUP D/B/A THE 31-CA-29983	5/13/2011	7/22/2011	G = LBP P = D = H			(5)(7)
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CASE NOTES:

WAYRON, LLC 19-CA-32983	6/24/2011	7/28/2011	G = LBP P = H D =			(4)(5)(8)
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CASE NOTES:

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D = Board members who voted to deny 10(j) authorization.

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Including All Cases Pending Before Board From Prior FY

CASE NAME AND CASE NUMBER	DATE RECD	DATE TO BOARD	DATE AUTH	DATE FILED	RESULT	10(j) CATEGORY
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Total General Counsel Requests = 58 Total Board Authorizations = 48
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SUCCESS RATE - FY 2011

Total Authorized:	48		Success Rate	92%
Wins (Full/Partial)	Total Wins = 15 (Full=11, Partial=4)		(Wins and Settlements as a percentage of cases pursued to conclusion)	
Settlements and Adjustments	18		Cases withdrawn prior to decision or not filed.	2
Losses	3		Total Cases completed (won, lost, settled or withdrawn)	38
Cases pursued to conclusion	36		Cases pending	10

G = Initials of Board members who voted to grant the requested authorization.

P = Board member who voted to authorize injunctive relief in part.

D = Board members who voted to deny 10(j) authorization.

SUBMISSIONS RECEIVED - FY 2011
10/1/2010 to 7/31/2011

Month	No.		Month	No.
October	14		April	7
November	23		May	12
December	15		June	10
January	8		July	10
February	13		August	0
March	19		September	0

Total: 131

*Short-form cases received pursuant to General Counsel Memorandum 06-05, "First Contract Bargaining Cases," April 19, 2006, are not included in these calculations.

DISTRIBUTION BY REGION - FY 2011
10/1/2010 to 7/31/2011

REGION	No.
01	2
02	5
03	1
04	12
05	7
06	2
07	2
08	7
09	7
10	1
11	4
12	2
13	6
14	2
15	3
16	2
17	3
18	3
19	8
20	2
21	9
22	3
24	1
25	7
26	4
28	5

DISTRIBUTION BY REGION - FY 2011

10/1/2010 to 7/31/2011

REGION	No.
29	5
30	1
31	3
32	3
33	1
34	3
36	4
37	1

Total: 131

*Short-form cases received pursuant to General Counsel Memorandum 06-05, "First Contract Bargaining Cases," April 19, 2006, are not included in these calculations.

HISTORICAL FISCAL YEAR SUMMARY

FY	Total 10(j)	GC 10(j)	Authoriz	Board	10(j)		Success
	Requests				to Board	ations	
2012	0	0	0	0		0	0%
Comments:							
2011	131	58	48	2		37	92%
Comments:							
2010	67	32	28	0		23	92%
Comments:	The General Counsel authorized nine cases pursuant to the Board's December 28, 2007 delegation of Section 10(j) authority that ended on April 5, 2010. The General Counsel made requests to the Board in the remaining cases. The "GC requests to the Board" column reports all cases submitted for authorization.						
2009	85	30	30	0		23	82%
Comments:	There were no General Counsel requests to the Board because the General Counsel authorized all cases pursuant to the Board's December 28, 2007 delegation of Section 10(j) authority. The "GC requests to the Board" column reports all cases submitted to the General Counsel for authorization.						
2008	82	27	28	0		19	87%
Comments:	The GC requested 10(j) proceedings, and the Board authorized them, in four cases, including one from FY 2007. The General Counsel did not make any additional requests to the Board, but instead authorized the remaining cases pursuant to the Board's December 28, 2007 delegation of Section 10(j) authority. The "GC requests to the Board" column reports all cases submitted for authorization.						
2007	69	39	25	3		21	84%
Comments:							
2006	69	30	25	0		22	95%
Comments:	Four Acting General Counsel 10(j) requests from FY 2005 were authorized by the Board in FY 2006.						
2005	61	22	15	3		12	93%
Comments:	Of the three pending General Counsel 10(j) requests from FY 2004, one was authorized by the Board in FY 2005, one withdrawn based upon a settlement agreement in the underlying administrative case, and in one case the Board denied 10(j) authority. In FY 2005, two General Counsel requests were withdrawn, based upon an adjustment of the administrative case. Four General Counsel requests were pending before the Board at the close of FY 2005.						
2004	70	21	14	4		11	100%
Comments:	One General Counsel request from FY 2003 was authorized by the Board in FY 2004. In FY 2004 three General Counsel requests were withdrawn, based upon an adjustment of the administrative case. Three General Counsel requests were pending before the Board at the close of FY 2004.						

HISTORICAL FISCAL YEAR SUMMARY

	Total 10(j) Requests Received	GC 10(j) Requests to Board	Authoriz ations	Board Denials	10(j) Petitions Filed	Success Rate
2003	90	24	17	3	15	100%
Comments:	In FY 2003 four General Counsel 10(j) requests were withdrawn, based upon an adjustment of the administrative case; in one case the General Counsel's 10(j) request became moot upon the issuance of the Board's decision and order in the unfair labor practice case; and in one case the General Counsel withdrew his 10(j) request. Of the 17 authorized cases, the General Counsel directly authorized four cases under the temporary delegation from the Board of December 21, 2001. See 66 Fed. Reg. 65,998-02, 2001 WL 1635725 (2001). Two General Counsel requests were pending before the Board at the close of FY 2003.					
2002	87	26	16	0	15	73%
Comments:	In FY 2002 six General Counsel 10(j) requests were withdrawn, based upon either an adjustment of the case or a charging party request to withdraw the underlying ULP charge. Of the 16 authorized cases, the General Counsel directly authorized one case under the temporary delegation from the Board of December 21, 2001. See 66 Fed. Reg. 65,998-02, 2001 WL 1635725 (2001). Four General Counsel requests were pending before the Board at the close of FY 2002.					
2001	99	43	43	0	29	88%
Comments:						
2000	154	73	68	4	45	86%
Comments:	Six General Counsel requests from FY 1999 were authorized by the Board in FY 2000. Five General Counsel requests were withdrawn based upon an adjustment of the case or a Board decision. Two General Counsel requests were pending before the Board at the close of FY 2000.					
1999	115	58	45	1	27	85%
Comments:						
1998	104	53	45	4	32	95%
Comments:	Four Board authorizations in FY 1998 were based upon General Counsel requests pending before the Board at the close of FY 1997. Six General Counsel requests were mooted by settlements or adjustments in the underlying administrative cases, or 10(j) relief was no longer appropriate in light of changed circumstances. Two General Counsel requests were pending before the Board at the close of FY 1998.					
1997	124	62	53	6	36	87%
Comments:	Two General Counsel requests from FY 1996 were authorized by the Board in FY 1997. One General Counsel request in FY 1997 was mooted by the issuance of the Board's decision and order in the ULP case. Four General Counsel requests were pending before the Board at the close of FY 1997.					
1996	131	59	53	4	39	91%
Comments:	Two General Counsel requests were pending before the Board at the close of FY 1996.					
1995	259	109	104	6	78	91%
Comments:	In June 1995, the Agency's Regional Directors were given the discretion to decide against seeking 10(j) authorization without submitting the case to Washington. As a result, the total number of cases submitted to Washington was thereafter reduced by excluding almost all the cases in which the Regional Director would not recommend in favor of 10(j) authorization.					

HISTORICAL FISCAL YEAR SUMMARY

FY	Total 10(j)	GC 10(j)					10(j)		
	Requests Received	Requests to Board	Authoriz ations	Board Denials	Petitions Filed	Success Rate			
1994	207	85	83	0	62	82%			
Comments:									
1993	137	42	42	1	34				
Comments:	Success Rate: FY 1989-1993: 91%								
1992	116	27	26	0	24				
Comments:									
1991	142	36	38	1	32				
Comments:									
1990	157	41	39	0	31				
Comments:									
1989	163	62	62	1	48				
Comments:									
1988	166	44	43	0	33				
Comments:	Success Rate FY 1985-1988: 89%								
1987	155	37	37	1	29				
Comments:									
1986	163	45	43	0	41				
Comments:									
1985	168	42	38	3	24				
Comments:									
1984	195	40	30	15	26				
Comments:									
1983	309	71	51	18	34				
Comments:	Success Rate 1/1/80-12/31/83: 87%								
1982	255	58	53	5	44				
Comments:									
1981	301	71	71	0	54				
Comments:									

HISTORICAL FISCAL YEAR SUMMARY

	Total 10(j)		GC 10(j)					10(j)		
	Requests		Requests		Authoriz		Board		Petitions	Success
FY	Received		to Board		ations		Denials		Filed	Rate
1980	272		82		81		1		57	
Comments:										
1979	262		80		80		0		62	
Comments:	Success Rate 7/1/75-6/30/79: 81%									
1978	260		53		51		2		46	
Comments:										
1977	219		62		62		0		55	
Comments:										
1976	160		27		26		1		20	
Comments:										