

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**CALHOUN FOODS, LLC  
d/b/a KEY FOOD**

**and**

**Cases 29-CA-030861  
29-CA-030878**

**LOCAL 338, RETAIL WHOLESALE  
DEPARTMENT STORE UNION,  
UNITED FOOD AND COMMERCIAL  
WORKERS**

**ORDER<sup>1</sup>**

The Respondent's Request for Special Permission to Appeal Administrative Law Judge Lauren Esposito's February 10, 2012 Order denying the Respondent's request to withdraw from or to modify the stipulations entered into on February 1, 2012 and to file an amended answer to the amended consolidated complaint is denied. The Respondent has failed to establish that the Administrative Law Judge abused her discretion in denying the request. This Order is without prejudice to the Respondent raising these issues on exceptions to the judge's decision, if appropriate.

Dated, Washington, D.C., April 9, 2012.

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| MARK GASTON PEARCE, | CHAIRMAN |
| TERENCE F. FLYNN,   | MEMBER   |
| SHARON BLOCK,       | MEMBER   |

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.