

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of:)	
)	
D'ARRIGO BROS. CO. OF CALIFORNIA,)	Case Nos.: 00-CE-5-SAL
)	01-CE-16-SAL
)	02-CE-14-SAL
Respondent,)	04-CE-18-SAL
)	04-CE-18-1-SAL
and)	ORDER VACATING BOARD
)	DECISION 32 ALRB No. 1
UNITED FARM WORKERS OF AMERICA, AFL-CIO,)	
)	Admin. Order 2007-06
Charging Party.)	
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ORDER

On September 5, 2007, pursuant to a Stipulation for Order to Dismiss Appeal, the Court of Appeal for the Fourth Appellate District, Division One, approved the dismissal of the appeal filed in this case by D'Arrigo Bros. Co. of California (D'Arrigo) (Case No. D048904). The stipulation to dismiss the appeal was filed pursuant to a Settlement Agreement and Release of Claims, and Stipulation to Vacate ALRB Decision 32 ALRB No. 1, entered into by D'Arrigo, the United Farm Workers of America (UFW), the Agricultural Labor Relations Board, and the General Counsel of the Agricultural Labor Relations Board (the General Counsel and the Board are hereinafter collectively referred to as the "ALRB").

The Board has taken the unusual step of agreeing to vacate its decision in recognition of the achievement of a comprehensive collective bargaining agreement

between D'Arrigo and the UFW and the resolution of other disputes among the two parties. The Board finds that, under these circumstances, vacating its decision pursuant to the settlement agreement furthers the purposes of the Agricultural Labor Relations Act by promoting collective bargaining and the achievement of stability in labor relations.

Accordingly, the decision reported at 32 ALRB No. 1 shall be, and hereby is, vacated in its entirety, and shall have no force or effect in this proceeding, or in any future proceeding before the ALRB, any court, administrative tribunal, or any other forum. Nothing in the Decision or in the record and transcripts of those proceedings may be cited for any purpose. Nor shall the fact of the Decision, or any legal or factual finding, conclusion or opinion therein, be the basis for, or constitute evidence with respect to, any matter whatsoever in such future proceeding(s), whether or not said future proceeding(s) involves D'Arrigo and/or the UFW.

By Direction of the Board.

Dated: September 10, 2007

J. ANTONIO BARBOSA
Executive Secretary, ALRB