FORM NLRB-501
(2-18)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 29-CA-274241	Date Filed 3/15/2021

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer
(b) (6), (b) (7)(C) as an Agent of The Artists' Company, Arts and Sciences, Believe Media, Biscuit Filmworks, CMS Productions, M ss ng P eces, Morton Jankel Zander, Inc., O Positive LLC, Park Pictures LLC, Piro, Inc., Radical Media, LLC, Smuggler, Spare Parts, Inc c/o Moving Parts Inc.

b. Tel. No.
See attached

c. Cell No.

f. Fax. No.

d. Address *(Street, city, state, and ZIP code)*
See Attached

e. Employer Representative
See attached

g. e-mail

h. Number of workers employed
100

i. Type of Establishment *(factory, mine, wholesaler, etc.)*
Film company

j. Identify principal product or service
Film and/or TV Production

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and thest unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge *(set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)*

On dates within the last six months, (b) (6), (b) (7)(C), as an agent of the above-named Employers, refused to hire (b) (6), (b) (7)(C) because of (b) (6), (b) (7)(C) union activity, in violation of Section 8(a)(3) of the Act.

3. Full name of party filing charge *(if labor organization, give full name, including local name and number)*
(b) (6), (b) (7)(C)

4a. Address *(Street and number, city, state, and ZIP code)*
(b) (6), (b) (7)(C)

4b. Tel. No.
(b) (6), (b) (7)(C)

4c. Cell No.
(b) (6), (b) (7)(C)

4d. Fax No.

4e. e-mail
(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit *(to be filled in when charge is filed by a labor organization)*

6. DECLARATION
(b) (6), (b) (7)(C) read the above charge and that the statements the best of my knowledge and belief.

(sign g charge)

(b) (6), (b) (7)(C)
(Print/type name and title or office, if any)

Address Same as above

Date March 15, 2021

Tel. No.
Same as above

Office, if any, Cell No.

Fax No.

e-mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

- (b) (6), (b) (7)(C) [redacted]

- **Artists' Company, The**
  79 Mercer Street, 2nd Floor
  New York, NY 10012
  (212) 679-7199 main
  (212) 807-6167 fax
  sally@theartistscompany.com
  Sally Antonacchio, Owner/Executive Producer

- **Arts and Sciences**
  662 N. Robertson Blvd.
  West Hollywood, CA 90069
  (310) 432-1313 main
  christa@artsandsciences.com
  Christa Skotland, Head of Production

- **Believe Media**
  1438 Gower Street, Bldg.43, Box 16
  Los Angeles, CA, 90028
  (323) 645-1000 main
  (323) 645-1001fax
  info@believemedia.com
  Elizabeth Silver, President/Executive Producer

- **Biscuit Filmworks**
  7026 Santa Monica Blvd.
  Los Angeles, CA 90038
  (323) 856-9200 main
  (323) 856-9300 fax
  shawn@biscuitfilmworks.com
  Shawn Lacy, Partner/Managing Director

- **CMS Productions**
  4223 Glencoe Avenue
  Marina Del Rey, CA 90292
  (424) 228-4262 main
  (424) 228-4346 fax
  tony@cmsproductions.com
  Tony Low, President

- **M ss ng P eces** [sic]
  836 Manhattan Ave.
  Brooklyn, NY 11222
  646.290.7931 main

- **Morton Jankel Zander, Inc. (MJZ)**
  2201 Carmelina Ave.
  Los Angeles, CA 90064
  (310) 826-6200 main
  (310) 826-6219 fax
  info@mjz.com
  David Zander, President

- **O Positive, LLC**
  48 W 25th St, New York, NY 10010
  (212) 557-7000 main
  (212) 557-7070 fax
  marc@o-pos.com
  Marc Grill, Executive Producer

- **Park Pictures, LLC**
  184 Fifth Avenue, 8th Flr.
  New York, NY 10010
  (212) 741-0288 main
  (212) 741-6462 fax
  jackie@parkpictures.com
  Jackie Kelman Bisbee, Founding Partner

- **Piro, Inc.**
  170 Varick Street
  10th Floor, Suite 1002
  New York, NY 10013
  (212) 234-0600 main
  tim@ WeArePiro.com
  Tim Piper, Founding Partner

- **Radical Media, LLC**
  435 Hudson Street, 6th Floor
  New York, NY 10014
  (212) 462-1500 main
  kturner@radicalmedia.com
  Frank Scherma, President

- **Smuggler**
  38 W 21st Street, 12th Floor
  New York, NY 10010
  (212) 337-3327 main
  pippenger@smugglersite.com
  Patrick Milling-Smith, Co-Founder

- **Spare Parts, Inc. % Moving Parts, Inc.**
  4111 W. Alameda Avenue
  2nd Flr.
  Burbank, CA 91505
  (818) 557-0237
  vanburensmail@yahoo.com
  Matt van Buren, Co-President

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579

Download
NLRB
Mobile App

(b) (6), (b) (7)(C)
[redacted]

March 17, 2021

Re: (b) (6), (b) (7)(C) as an Agent of
Employers Listed in Attachment
Case 29-CA-274241

Dear (b) (6), (b) (7)(C) [redacted]

The charge that you filed in this case on March 15, 2021 has been docketed as case number 29-CA-274241. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney JOHN B. MICKLEY whose telephone number is (718)765-6211. If this Board agent is not available, you may contact Supervisory Attorney TARA O'ROURKE whose telephone number is (718)765-6213.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

KATHY DREW-KING
Regional Director

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579

Download NLRB Mobile App

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) as an Agent of The Artists Company Arts and Sciences Believe Media Biscuit Filmworks CMS Productions M ss ng P eces Morton Jankel Zander Inc O Positive LLC Park Pictures LLC Piro Inc Radical Media LLC Smuggler Spare Parts Inc co Morving Parts Inc
(b) (6), (b) (7)(C)

March 17, 2021

Re: (b) (6), (b) (7)(C) as an Agent of
Employers Listed in Attachment
Case 29-CA-274241

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney JOHN B. MICKLEY whose telephone number is (718)765-6211. If this Board agent is not available, you may contact Supervisory Attorney TARA O'ROURKE whose telephone number is (718)765-6213.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

KATHY DREW-KING
Regional Director

Enclosures:
1. Copy of Charge
2. Commerce Questionnaire

cc: Sally Antonacchio, Owner/Executive Producer
The Artists' Company
79 Mercer Street
2nd Floor
New York, NY 10012

Christa Skotland, Head of Production
Arts and Sciences
662 N Robertson Blvd
West Hollywood, CA 90069

Elizabeth Silver, President/Executive
Producer
Believe Media
1438 Gower Street
Bldg 43 Box 16
Los Angeles, CA 90028

Shawn Lacey, Partner.Managing Director
Biscuit Filmworks
7026 Santa Monica Blvd
Los Angeles, CA 90038-1012

Tony Low, President
CMS Productions
4223 Glencoe Avenue
Marina Del Rey, CA 90292

David Zander, President
Morton Jankel Zander, Inc. (MJZ)
2201 Carmelina Ave
Los Angeles, CA 90064

Marc Grill, Executive Producer
O Positive, LLC
48 W 25th Street
New York, NY 10010

Jackie Kelman Bisbee, Founding Partner
Park Pictures LLC
184 Fifth Avenue
8th Floor
New York, NY 10010

Tim Piper, Founding Partner
Piro, Inc.
170 Varick Street
10th Floor, Suite 1002
New York, NY 10013

Frank Scherma, President
Radical Media, LLC
435 Hudson Street
6th Floor
New York, NY 10014

Patrick Milling Smith
Smuggler, Inc.
38 W 21st St Fl 12
New York, NY 10010-6967

Matt Van Buren, Co-President
Spare Parts, Inc. c/o Moving Parts, Inc.
4111 W Alameda Avenue
2nd Floor
Burbank, CA 91505

M ss ng P eces sic
836 Manhattan Ave
Brooklyn, NY 11222

FORM NLRB-5081
(3-11)

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 29-CA-274241

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

[ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS *(Products handled or manufactured, or nature of services performed).*

7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT *(Check the appropriate box):* [ ] **CALENDAR** [ ] **12 MONTHS** or [ ] **FISCAL YEAR** *(FY DATES)*

	YES	NO
A. Did you **provide services** valued in excess of $50,000 directly to customers outside your State? If no, indicate actual value. $_____		
B. If you answered no to 9A, did you **provide services** valued in excess of $50,000 to customers in your State who purchased goods valued in excess of $50,000 from directly outside your State? If no, indicate the value of any such services you provided. $_____		
C. If you answered no to 9A and 9B, did you **provide services** valued in excess of $50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than $50,000, indicate amount. $_____		
D. Did you **sell goods** valued in excess of $50,000 directly to customers located outside your State? If less than $50,000, indicate amount. $_____		
E. If you answered no to 9D, did you **sell goods** valued in excess of $50,000 directly to customers located inside your State who purchased other goods valued in excess of $50,000 from directly outside your State? If less than $50,000, indicate amount. $_____		
F. Did you **purchase and receive goods** valued in excess of $50,000 from directly outside your State? If less than $50,000, indicate amount. $_____		
G. Did you **purchase and receive goods** valued in excess of $50,000 from enterprises who received the goods directly from points outside your State? If less than $50,000, indicate amount. $_____		
H. **Gross Revenues** from all sales or performance of services ***(Check the largest amount)*** [ ] $100,000 [ ] $250,000 [ ] $500,000 [ ] $1,000,000 or more If less than $100,000, indicate amount.		
I. **Did you begin operations within the last 12 months?** If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

[ ] YES [ ] NO *(If yes, name and address of association or group).*

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE *(Type or Print)*	SIGNATURE	E-MAIL ADDRESS	DATE

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

(b) (6), (b) (7)(C) **AS AN AGENT OF EMPLOYERS LISTED IN ATTACHMENT** Charged Party and (b) (6), (b) (7)(C) Charging Party	**Case 29-CA-274241**

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on **,** I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) as an Agent of The Artists Company Arts and Sciences Believe Media Biscuit Filmworks CMS Productions M ss ng P eces Morton Jankel Zander Inc O Positive LLC Park Pictures LLC Piro Inc Radical Media LLC Smuggler Spare Parts Inc co Morving Parts Inc
(b) (6), (b) (7)(C)

Sally Antonacchio, Owner/Executive Producer
The Artists' Company
79 Mercer Street
2nd Floor
New York, NY 10012

Christa Skotland, Head of Production
Arts and Sciences
662 N Robertson Blvd
West Hollywood, CA 90069

Elizabeth Silver, President/Executive
Producer
Believe Media
1438 Gower Street
Bldg 43 Box 16
Los Angeles, CA 90028

Shawn Lacey, Partner.Managing Director
Biscuit Filmworks
7026 Santa Monica Blvd
Los Angeles, CA 90038-1012

Tony Low, President
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4223 Glencoe Avenue
Marina Del Rey, CA 90292

David Zander, President
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38 W 21st St Fl 12
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Matt Van Buren, Co-President
Spare Parts, Inc. c/o Moving Parts, Inc.
4111 W Alameda Avenue
2nd Floor
Burbank, CA 91505

M ss ng P eces sic
836 Manhattan Ave
Brooklyn, NY 11222

March 17, 2021

	FREDA DEVONSHIRE, Designated Agent of NLRB
Date	Name
	/S/ FREDA DEVONSHIRE
	Signature

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579

May 19, 2021

Dmitri Iglitzin, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

Robert I Sacks, Esq.
Ellenoff Grossman Schole LLP
1345 Avenue of the Americas
11th Floor
New York, NY 10105

Re: (b) (6), (b) (7)(C) as an Agent of
Employers Listed in Attachment
Case 29-CA-274241

Dear Mr. Iglitzin, Mr. Sacks:

This is to advise you that I have approved the withdrawal of the portions of the above-captioned matter alleging that The Artists Company, Believe Media, CMS Productions, Inc., Morton Jankel Zander, Inc., O Positive LLC, Piro Inc., and Radical Media refused to hire (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) in violation of Section 8(a)(3) of the Act.

The remaining allegations that Arts and Sciences, Biscuit Filmworks, M ss ng P eces, Park Pictures, Smuggler, and Spare Parts, Inc. refused to hire (b) (6), (b) (7)(C) in violation of Section 8(a)(3) of the Act are subject to further processing.

Very truly yours,

KATHY DREW-KING
Regional Director

cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Sally Antonacchio, Owner/Executive
Producer
The Artists' Company
79 Mercer Street
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2201 Carmelina Ave
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Smuggler, Inc.
38 W 21st St Fl 12
New York, NY 10010-6967

Matt Van Buren, Co President
Spare Parts Inc % Moving Parts Inc
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2nd Floor
Burbank, CA 91505