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**Sent:** Wednesday, September 13, 2017 11:50 AM  
**To:** Sullivan, Michael L.  
**Subject:** RE: 13-CA-196396-Answer to Complaint

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Date Submitted: 9/13/2017 11:49:14 AM (UTC-06:00) Central Time (US & Canada)  
Regional, Subregional Or Resident Office: Region 13, Chicago, Illinois  
Case Name: Noble Network of Charter Schools  
Case Number: 13-CA-196396  
Filing Party: Employer  
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Attachments: Answer to Complaint: Answer to Consolidated Complaint (NLRB 13-CA-196396 & 200630).pdf

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**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 13**

NOBLE NETWORK OF CHARTER  
SCHOOLS

and

CHICAGO ALLIANCE OF CHARTER  
TEACHERS AND STAFF, LOCAL 4343,  
IFT, AFT, AFL-CIO

Cases 13-CA-196396 and 13-CA-200630

**ANSWER TO CONSOLIDATED COMPLAINT**

Respondent Noble Network of Charter Schools ("Noble"), by its undersigned attorneys, for its Answer to the Consolidated Complaint and Notice of Hearing ("Complaint") filed by the Regional Director of Region 13 of the National Labor Relations Board ("NLRB"), states as follows:

**General Denial**

Except as otherwise expressly stated in this Answer, Noble denies each and every allegation contained in the Complaint, including, without limitation, any allegation in the preamble, headings, or subheadings of the Complaint. Noble specifically denies that it violated the National Labor Relations Act ("NLRA") in any of the manners alleged in the Complaint or in any other manner. Any matter in the Complaint to which no responsive pleading is required under the NLRB rules shall be deemed as denied. Noble expressly reserves the right to seek to amend or supplement its Answer as may be necessary.

**Defenses**

Without assuming any burden of proof, persuasion or production not otherwise legally assigned to it as to any element of the claims alleged in the Complaint, Noble asserts the following defenses.

1. The Complaint and each of its purported claims for relief fail to allege facts sufficient to state a claim upon which relief may be granted.

2. The statements cited in paragraphs VI(a) through VI(c) of the Complaint are protected statements under Section 8(c) of the NLRA and under the First Amendment to the United States Constitution and cannot be evidence of any violation of the NLRA.

3. Noble has not violated Section 8(a)(1) of the NLRA as it has not interfered with, restrained, or coerced any employees in the exercise of their rights protected by the NLRA.

### **Response to Specific Allegations of the Complaint**

Incorporating the foregoing, Noble states as follows in response to the specific allegations of the Complaint:

#### **Preamble**

Noble denies any allegations contained in the preamble, except to admit that Chicago Alliance of Charter Teachers and Staff, Local 4343, IFT, AFT, AFL-CIO ("Charging Party" or "Union") has charged in cases 13-CA-196396 and 13-CA-200630 that Noble has engaged in certain unfair labor practices prohibited by the NLRA, and that the General Counsel of the NLRB has issued the Complaint.

#### **I(a)**

Noble lacks information and knowledge sufficient to form a belief as to the allegations of paragraph I(a), except to admit that, on or around April 10, 2017, it received by regular mail a charge, designated as Case 13-CA-196396.

**I(b)**

Noble lacks information and knowledge sufficient to form a belief as to the allegations of paragraph I(b), except to admit that, on or around August 4, 2017, it received by regular mail an amended charge, designated as Case 13-CA-196396.

**I(c)**

Noble lacks information and knowledge sufficient to form a belief as to the allegations of paragraph I(c), except to admit that, on or around June 19, 2017, it received by regular mail a charge, designated as Case 13-CA-200630.

**II(a)**

Noble lacks information and knowledge sufficient to form a belief as to what the Complaint alleges to be "all material times," but admits that it is a non-profit school that operates campuses at eighteen locations throughout Chicago, Illinois and has been engaged in providing comprehensive college-preparatory educational services to low-income students. Noble denies any other allegation in paragraph II(a).

**II(b)**

Noble admits the allegations of paragraph II(b), except to the extent that it has denied the incorporated provisions of paragraph II(a).

**II(c)**

Noble admits the allegations of paragraph II(c), except to the extent that it has denied the incorporated provisions of paragraph II(a).

**II(d)**

Noble admits the allegations of paragraph II(d).

### **III**

On information and belief, Noble admits the allegations of paragraph III.

### **IV**

Noble lacks information and knowledge sufficient to form a belief as to what the Complaint alleges to be "all material times," but denies that the persons named in paragraph IV held the stated positions at all times since October 7, 2016 (the earliest date identified in the Complaint) and therefore denies the allegations in the first sentence of paragraph IV. As to the remaining allegations in paragraph IV, Noble admits that Tressie McDonough has held the position of Principal of Noble's UIC College Prep campus, that Sarah Kohtala has held the position of Principal of Noble's Hansberry campus, and that Stephanie Hernandez has held the position of Principal of Noble's Golder campus. Noble further admits that each of these three either were or are, respectively, either agents or supervisors within the meaning of the NLRA during the time periods that they held those positions. Noble denies any remaining allegation in paragraph IV.

### **V(a)**

Noble denies the allegations in paragraph V(a).

### **VI(a)**

Noble admits that the quoted language in paragraph VI(a) was included in Section 2.06(j) of its Staff Handbook that issued on or about October 7, 2016, but denies that the quoted passage is a complete iteration of that policy and to that extent denies that aspect of the allegation. Noble denies any remaining allegation in paragraph VI(a).

### **VI(b)**

Noble denies the allegations in paragraph VI(b).

**VI(c)**

Noble denies the allegations in paragraph VI(c).

**VI(d)**

Noble denies the allegations in paragraph VI(d).

**VII(a)**

Noble denies the allegations in paragraph VII(a).

**VII(b)**

Noble denies the allegations in paragraph VII(b).

Noble reserves the right to raise any additional defenses not asserted in this Answer of which it becomes aware through investigation, as may be appropriate at a later time.

Dated: September 13, 2017

Respectfully submitted,

NOBLE NETWORK OF CHARTER SCHOOLS

By:  \_\_\_\_\_  
One of its Attorneys

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**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
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IFT, AFT, AFL-CIO

Cases 13-CA-196396 and 13-CA-200630

**CERTIFICATE OF SERVICE**

I hereby certify that on September 13, 2017, Respondent's Answer to Consolidated Complaint was electronically filed and served by e-mail and by U.S. Mail to the following parties:

Peter Sung Ohr, Regional Director  
National Labor Relations Board  
Region 13  
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Local 4343, IFT, AFT, AFL-CIO  
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September 13, 2017

By:  \_\_\_\_\_  
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