

**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

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**PENNSYLVANIA AMERICAN  
WATER COMPANY**

**Petitioner/Cross-Respondent**

**v.**

**NATIONAL LABOR RELATIONS BOARD**

**Respondent/Cross-Petitioner**

**UTILITY WORKERS UNION OF AMERICA,  
SYSTEM LOCAL NO. 537, AFL-CIO**

**Intervenor**

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**Nos. 15-1694  
15-1917**

**JOINT MOTION TO FURTHER STAY THE BRIEFING SCHEDULE  
PENDING SETTLEMENT NEGOTIATIONS**

To the Honorable, the Judges of the United States  
Court of Appeals for the Third Circuit:

Pursuant to the Court’s order entered September 1, 2015, the National Labor Relations Board (“the Board”), by its Deputy Associate General Counsel, Pennsylvania American Water Company (“the Company”), and Intervenor Utility Workers Union of America, System Local 537, AFL-CIO (“the Union”) respectfully move this Court to further stay the briefing schedule in this case pending settlement negotiations, until and including January 6, 2016. In support of this motion, the parties show as follows:

1. On August 24, 2015, the Company and the Union, with the consent of the Board, filed a motion seeking an extension of time from August 28 to November 6 to file the Company's brief and the joint appendix. The purpose of the motion was to allow the Company and the Union to complete settlement discussions pertaining to underlying issues in this case, in hopes that their agreement would permit the parties to settle this case in its entirety.

2. On September 1, 2015, the Court issued an order construing the motion as a motion to stay the briefing schedule pending settlement negotiations, and so construed, granted the motion. The Court further provided that "[t]he parties may renew the motion for extension of time provided that any subsequent motion sets forth the progress in settlement negotiations."

3. As hoped, the Company and the Union have executed a settlement agreement pertaining to the issues underlying this case.

4. Further, the Company and the Board anticipate that, upon the Company's compliance with the Board's order, they will be able to settle the case without the need for further litigation. However, they need additional time to complete that settlement. The parties believe that an additional two months will be adequate for that purpose.

WHEREFORE, the parties respectfully request that the Court grant this joint motion and further stay the briefing schedule in this case until and including January 6, 2016.

Respectfully submitted,

/s/ Linda Dreeben

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(Counsel for Intervenor Union)

Dated at Washington, DC  
this 5th day of November 2015

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**CERTIFICATE OF SERVICE**

I certify that on November 5, 2015, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit using the appellate CM/ECF system. I certify that all counsel of record are registered CM/ECF users and were served through the CM/ECF system.

/s/ Linda Dreeben

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Dated at Washington, DC  
this 5th day of November 2015