

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
CIVIL APPEAL STATEMENT**

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: _____

<p>TITLE IN FULL:</p> <p align="center">NLRB</p> <p align="center">v.</p> <p>DISTLER CORPORATION, SIERRA MASONRY CORP, DISTLER CONSTRUCTION CO., INC., AND GULF STATE CONSTRUCTION CO. D/B/A DISTLER CONSTRUCTION CO.</p>	<p>DISTRICT: n/a NAME OF JUDGE: _____</p> <hr/> <p>DATE COMPLAINT FILED: DISTRICT COURT DOCKET NUMBER: n/a</p> <hr/> <p>DATE NOTICE OF APPEAL FILED: IS THIS A CROSS-APPEAL? • Yes <input checked="" type="checkbox"/> No</p> <hr/> <p>HAS THIS MATTER BEEN BEFORE THIS COURT PREVIOUSLY? • Yes <input checked="" type="checkbox"/> No IF YES, PROVIDE: (A) CASE NAME (B) CITATION (C) DOCKET NUMBER</p>
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ATTORNEY NAME	MAILING ADDRESS	TELEPHONE AND FAX
FOR APPELLANT:		
<ul style="list-style-type: none"> • Plaintiff Party is not currently represented • Defendant by counsel • Other (Specify) 	see attached	see attached
FOR APPELLEE:		
<ul style="list-style-type: none"> • Plaintiff Linda Dreeben • Defendant Deputy Associate General Counsel • Other (Specify) 	National Labor Relations Board 1099 14th Street, N.W. Washington, D.C. 20570	Phone: 202 273-2960 Fax: 202 273-0191 email: AppellateCourt@nlrb.gov

Circle/check/complete those items below and on page 2 that apply.

JURISDICTION	NATURE OF JUDGMENT	TYPE OF ORDER	RELIEF
Federal Question	Final Judgment, 28 USC 1291	Dismissal/Jurisdiction	Damages: Amount Sought by Plaintiff: \$ _____ Amount Sought by Defendant: \$ _____ Awarded \$ _____ to _____ Injunctions: • TRO • Preliminary • Granted • Permanent • Denied
Diversity	Interlocutory Order, 28 USC 1292(a)(1)	Default Judgment	
US Plaintiff <input checked="" type="checkbox"/>	Interlocutory Order Certified, 28 USC 1292(b)	Summary Judgment <input checked="" type="checkbox"/>	
US Defendant	Interlocutory Order, Qualified Immunity	Judgment/Bench Trial	
	Final Agency Action (Review) <input checked="" type="checkbox"/>	Judgment/Jury Verdict	
	54(b)	Judgment/Directed Verdict/NOV	
		Injunction	
		Other _____	

NATURE OF SUIT (• Class Action)

Admiralty-Maritime Antitrust Arbitration Assault Attorney Disqualification Banking Bankruptcy	Civil Rights • Title VII • ADA • ADEA • IDEA • Harassment • 1983 • Other	Commercial Contract Commodities Communications Consumer Copyright/TM/Patent Counsel Fee Election Employment Contract Energy	Environment ERISA FELA Finance FOI Forfeiture Fraud FTCA Indemnity	Insurance Negotiable Instrument Personal Injury Privacy Real Property <input checked="" type="checkbox"/> Review Agency Action Securities Stockholder Slander/Libel	Social Security Tax TILA US Constitution Warrant Other Contract Other Tort Other Statutory Action
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GENERAL

BASED ON YOUR PRESENT KNOWLEDGE:

- (1) DOES THIS APPEAL INVOLVE A QUESTION OF FIRST IMPRESSION? • Yes No
WHAT IS THE ISSUE YOU CLAIM IS ONE OF FIRST IMPRESSION?
- (2) WILL THE DETERMINATION OF THIS APPEAL TURN ON THE INTERPRETATION OR APPLICATION OF A PARTICULAR CASE OR STATUTE? • Yes No
IF YES, PROVIDE:
(A) CASE NAME/STATUTE
(B) CITATION
(C) DOCKET NUMBER, IF UNREPORTED
- (3) IS THERE ANY CASE NOW PENDING OR ABOUT TO BE BROUGHT BEFORE THIS COURT OR ANY OTHER COURT OR ADMINISTRATIVE AGENCY THAT:
(A) ARISES FROM SUBSTANTIALLY THE SAME CASE OR CONTROVERSY AS THIS APPEAL? • Yes No
(B) INVOLVES AN ISSUE THAT IS SUBSTANTIALLY THE SAME, SIMILAR, OR RELATED TO AN ISSUE IN THIS APPEAL? • Yes No
IF YES, PROVIDE:
(A) CASE NAME
(B) CITATION
(C) DOCKET NUMBER, IF UNREPORTED
(D) COURT OR AGENCY
- (4) WILL THIS APPEAL INVOLVE A CONFLICT OF LAW:
(A) WITHIN THE ELEVENTH CIRCUIT? • Yes No
(B) AMONG CIRCUITS? • Yes No
IF YES, EXPLAIN BRIEFLY:

ISSUES PROPOSED TO BE RAISED ON APPEAL, INCLUDING JURISDICTIONAL CHALLENGES:

Pursuant to Section 10(e) of the National Labor Relations Act, the NLRB has applied to this Court for enforcement of its order against United States Postal Service. Respondent did not file with the agency a response to the unfair labor practice complaint, the follow up letters, the Motion for Default Judgment or Notice to Show Cause. Consequently it has not preserved any issues to be raised upon appeal. The Board seeks summary entry of an order enforcing the Board's order.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 27th DAY OF November 2015.

Linda Dreeben

NAME OF COUNSEL (TYPE)

SIGNATURE OF COUNSEL

ATTACH portion of district court, tax court, or agency record described in 11th Cir. R. 33-1(b) (judgments and orders appealed from or sought to be reviewed; any supporting opinion, findings of fact, and conclusions of law filed by the court or the agency, board, commission, or officer; any report and recommendation adopted by an order; findings and conclusions of an administrative law judge when appealing a court order reviewing an agency determination; any agency docket sheet or record index).

RESPONDENT CONTACT INFORMATION

George Distler
Distler Construction Co. Tel: (407) 416-2621
P. O. Box 470962 Cell: (855) 438-9211
Lake Monroe, FL 32747

George W. Distler, Sr.
George W. Distler, Jr.
Patrick Bateson
Distler Construction, Sierra Masonry
Corp, Distler Construction Co.
3875 Saint Johns Pkwy.
Sanford, FL 32771-6371

George W. Distler, Sr.
George W. Distler, Jr.
Patrick Bateson
Distler Corp, Sierra Masonry Corp, Distler
Construction Co.
1540 International Pkwy., Ste. 2000
Lake Mary, FL 32474

George W Distler, Sr.
41 Yosemite Ln.
Powder Springs, GA 30127-8605

George W Distler, Jr.
998 Kersfield Cir.
Lake Mary, FL 32746-1936

Patrick Bateson
Distler Corporation, Sierra Masonry
Corp, and Gulf State Construction Co.
d/b/a Distler Construction Co.
6101 Twinwood Trace
Sanford, FL 32771

Patrick Bateson
Distler Corporation, Sierra Masonry Corp,
and Gulf State Construction Co. d/b/a
Distler Construction Co.
4831 Cains Wren Trail
Sanford, FL 32771

Distler Construction Co. Email: gdistler@distlerconstruction.com
George W. Distler, Sr. Email: gdistler1@mac.com
George W. Distler, Jr. Email: gdistler02@mac.com
George W. Distler, Jr. Email: george@gulfstatecc.com
Patrick Bateson Email: pbateson@mac.com