

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PLAZA AUTO CENTER, INC.)
)
) Petitioner/Cross-Respondent)
) Nos. 10-72728
) v.) 10-73125
)
) NATIONAL LABOR RELATIONS BOARD)
) Respondent/Cross-Petitioner)

**THE BOARD'S UNOPPOSED MOTION
FOR A THREE-WEEK EXTENSION OF TIME**

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

The National Labor Relations Board, by its Deputy Associate General Counsel, respectfully requests a three-week extension of time to submit its brief in the above-captioned case, and shows as follows:

1. On September 8, 2010, Plaza Auto Center, Inc. ("the Company") filed a petition for review of an Order issued against it by the National Labor Relations Board. *See Plaza Auto Ctr., Inc.*, 355 NLRB No. 85 (2010). The Board cross-applied for enforcement of its Order on October 13.

2. The Company filed its opening brief on December 15, 2010, and the Board's brief is due on January 12, 2011.

3. The two attorneys handling this case for the Board, briefing attorney Kira Vol and supervisory attorney Jill Griffin, were both out of the

office for several days at the end of December on pre-planned vacations.

Both have also had substantial commitments in other cases, including: *New Process Steel, L.P. v. NLRB*, D.C. Cir. Nos. 10-1266, 10-1267 (revised motion, responding to question posed by Court, filed December 28, 2010); *International Union of Operating Eng'rs Local 513 v. NLRB*, D.C. Cir. Nos. 10-1121, 10-1137 (brief filed December 22, 2010); *NLRB v. Regency Grande Nursing & Rehab. Ctr.*, 3d Cir. No. 10-3548 (brief filed December 30, 2010); *NLRB v. Regency Grande Nursing & Rehab. Ctr.*, 3d Cir. No. 10-3547 (brief filed December 30, 2010); *Oaktree Capital Management, L.P., TBR Property d/b/a Turtle Bay Resorts and Benchmark Hospitality v. NLRB*, 5th Cir. No. 10-60479 (brief due January 12, 2010); *NLRB v. PDK Investments, LLC*, 5th Cir. No. 10-60705 (brief due January 12, 2010).

4. Due to Board counsels' above-described commitments, it will not be possible for Board counsel, with due diligence and giving priority to the preparation of the brief, to file the brief on time.

5. The Board therefore requests an additional three weeks, until Wednesday, February 2, 2011, to complete its brief.

7. Counsel for the Company has represented to the Board that the Company will not oppose such an extension.

WHEREFORE, the Board requests that the Court grant a three-week extension of the briefing schedule, moving the due date of the Board's brief to February 2, 2011.

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1099 14th Street, N.W
Washington DC 20570
(202) 273-2960

Dated at Washington, D.C.
This 4th day of January, 2011

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PLAZA AUTO CENTER, INC.)
)
) Petitioner/Cross-Respondent)
) Nos. 10-72728
 v.) 10-73125
)
) NATIONAL LABOR RELATIONS BOARD)
) Respondent/Cross-Petitioner)

CERTIFICATE OF SERVICE

I certify that on January 4, 2011 the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below:

Stephanie Leach
Snell & Wilmer L.L.P.
One Arizona Center
400 E. Van Buren
Phoenix, AZ 85004-2202

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1099 14TH Street, NW
Washington, DC 20570

Dated at Washington, D.C.
this 4th day December, 2011

RECEIVED PHX. AZ
NLRB-REGION 28

2011 JAN 10 AM 11:50