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VIA ECF

Office of the Clerk
United States Court of Appeals for the Sixth Circuit
540 Potter Stewart U. S. Courthouse - 100 East Fifth Street
Cincinnati, Ohio 45202-3988

Re: Caterpillar Logistics Inc. v. NLRB, Nos. 15-1433, 15-1611

Dear Clerk:

We are counsel to Petitioner/Cross-Respondent in the above-entitled cases, and we write pursuant to the parties' obligation to notify the Court of developments on pending matters. *Cf. Arizonans for Official English v. Arizona*, 520 U.S. 43, 68, n.23 (1997) ("It is the duty of counsel to bring to the federal tribunal's attention, 'without delay,' facts that may raise a question of mootness.") (internal citation omitted)

One issue pending before this Court was the legitimacy of the Board's direction of a second election in this matter, discussed at pages 45-48 of Caterpillar's opening brief and pages 27-30 of Caterpillar's reply brief.

On March 2, 2016, NLRB Region 9 conducted a second election at Caterpillar's Clayton, Ohio facility, pursuant to the Board's decision under review. At that election, employees voted 295-169 against representation by the UAW. The Union did not file objections or challenges following the March 2 election, and NLRB Region 9 certified the election results on March 10, 2016. *See* Exhibit A. This Court heard oral argument in this matter the day before the election results were certified and, therefore, we were unable to notify the Court of the development at that time.

Please let us know if the Court needs further information.

Very truly yours,

/s/ Joseph J. Torres

Joseph J. Torres