

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

BLOOMINGDALE’S, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>PETITION FOR REVIEW</b>
	)	
NATIONAL LABOR RELATIONS	)	
BOARD,	)	
	)	
Respondent.	)	
_____	)	

**PETITION FOR REVIEW**

Pursuant to Rule 15(a) of the Federal Rules of Appellate Procedure, Bloomingdale’s, Inc. (herein “Petitioner”) hereby petitions the United States Court of Appeals for the Ninth Circuit for review of an Order of the National Labor Relations Board (herein “Respondent” or “NLRB”) in the matter styled *Bloomingdale’s, Inc. and Fatemeh Johnmohammadi*, NLRB Case No. 31-CA-071281, reported in an Order at 363 NLRB No. 172, dated April 29, 2016. See Attachment A. This Court has jurisdiction in this matter pursuant to Section 10(f) of the National Labor Relations Act because the NLRB’s “Decision and Order” is a final order. 29 U.S.C. § 160(f). Petitioner is a party aggrieved by

said Decision and Order. Petitioner transacts business within this judicial circuit, as defined in 28 U.S.C. § 41, by operating retail stores in California.

The NLRB's Decision and Order against Petitioner is not supported by substantial evidence and is contrary to law.

WHEREFORE, Petitioner respectfully prays that this Court review and set aside the Order of the NLRB (which found that Petitioner violated Section 8(a)(1) of the National Labor Relations Act, 29 U.S.C. §158(a)(1)), and grant Petitioner any further relief to which it may be entitled.

Respectfully submitted,

Dated: May 6, 2016

Dated: May 6, 2016

By: /s/ David E. Martin  
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ATTORNEYS FOR PETITIONER  
BLOOMINGDALE'S, INC.

**CERTIFICATE OF SERVICE**

I hereby certify:

I am employed in the County of Sacramento, State of California. I am over the age of 18 years and not a party to the within action; my business address is Jackson Lewis P.C., 400 Capitol Mall, Suite 1600, Sacramento, California 95814.

On May 6, 2016, I served the within:

**PETITION FOR REVIEW**

on Respondent and each party admitted to participate in the agency proceedings as follows:

- X** by depositing a true and correct copy thereof enclosed in a sealed envelope with delivery fees thereon fully prepaid in a box or other facility regularly maintained by Federal Express or delivering to an authorized courier or driver authorized by Federal Express to receive documents, addressed as set forth below.
- X** by forwarding a true and correct copy (as indicated below) thereof electronically from e-mail address baumg@jacksonlewis.com between approximately 1:00 p.m. and 2:00 p.m. to the persons at the e-mail addresses set forth below.

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Additionally, on May 6, 2016, I will electronically file the above-mentioned document with the United States Court of Appeals for the Ninth Circuit via NextGen CM/ECF.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed on this 6th day on May, 2016 at Sacramento, California.

/s/ Gail Kristine Baum  
Gail Kristine Baum