

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

RPM PIZZA, L.L.C.)	
)	
Petitioner)	
)	
v.)	No. 15-60909
)	
NATIONAL LABOR RELATIONS BOARD)	
)	
Respondent)	
)	

**STATUS REPORT BY
THE NATIONAL LABOR RELATIONS BOARD**

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

The National Labor Relations Board (“the Board”) provides the following update regarding the above-captioned case:

1. On February 12, 2016, the Court placed this case in abeyance pending the outcome of *Murphy Oil USA, Inc. v. NLRB*, 808 F.3d 1013 (5th Cir. 2015), and instructed that a “Stay Follow-up” be filed. On May 24, 2016, the Court updated the Stay Follow-up deadline to June 23, 2016.

2. On February 18, 2016, the Court entered judgment in *Murphy Oil*. The Board filed a petition for rehearing on April 18, 2016, which the Court denied on May 13, 2016. The due date to file a petition for certiorari in the Supreme Court, should the government file one, is August 11, 2016. The government is

currently determining whether to file a petition. It is appropriate for this case to remain in abeyance while the government makes that determination.

Respectfully submitted,

/s/ Linda Dreeben

Linda Dreeben
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Dated at Washington, DC
this 27th day of June, 2016

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CERTIFICATE OF SERVICE

I certify that on June 27, 2016, the foregoing motion was filed with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system, and that all counsel are registered CM/ECF users.

/s/ Linda Dreeben

Linda Dreeben
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National Labor Relations Board
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Dated at Washington, DC
this 27th day of June, 2016