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<b>JACK IN THE BOX , INC.</b>	)	
	)	
<b>Petitioner/Cross-Respondent</b>	)	
	)	
<b>v.</b>	)	<b>No. 16-60386</b>
	)	
<b>NATIONAL LABOR RELATIONS BOARD</b>	)	
	)	
<b>Respondent/Cross-Petitioner</b>	)	
	)	

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

1. Jack in the Box, Inc. (“the Company”), filed its opening brief on September 6, 2016. Pursuant to the Court’s scheduling order, the Board’s responsive brief is due October 11, 2016.

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15-2478 (6th Cir.), in Cincinnati, Ohio. Previously, Attorney Cantor filed a brief in *NLRB v. Lily Transportation, Inc.*, No. 15-2398 (1st Cir.) (brief filed September 20, 2016), and presented oral argument in *HealthBridge Management, LLC v. NLRB*, Nos. 15-1110 & 15-1129 (D.C. Cir.), on September 12, 2016. Attorney Cantor is also involved in an ongoing confidential mediation in the Court of Appeals for the District of Columbia Circuit, and has planned leave in early October to attend services for the Jewish High Holy Days. Kira Dellinger Vol, the supervisory attorney assigned to this case, has significant responsibilities in other cases, including supervising the preparation of the Board's brief in *Prime Healthcare Paradise v. NLRB*, D.C. Cir. Nos. 16-1132, 16-1173 (brief due October 11, 2016), and previously supervised the Board's brief in *Lily Transportation, supra*.

3. Due to Board counsels' above-described commitments, it will not be possible for Board counsel, with due diligence and giving priority to the preparation and editing of the brief, to file the brief by its current due date. The Board has not previously requested an extension of time. The Board therefore requests an additional 21 days, until Tuesday, November 1, 2016, to file its brief.

4. Counsel for the Company has represented to the Board that it does not oppose such an extension.

WHEREFORE, the Board respectfully requests that the Court grant a 21-day extension of the due date of the Board's brief, to and including November 1, 2016.

Respectfully submitted,

/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

NATIONAL LABOR RELATIONS BOARD

1015 Half Street, SE

Washington, DC 20570

Dated at Washington, DC  
this 22nd day of September, 2016

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<b>JACK IN THE BOX , INC.</b>	)	
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	)	

I hereby certify that on September 22, 2016, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the CM/ECF system. I certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

Dated at Washington, DC  
this 22nd day of September, 2016