

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 15-2585 and 15-2712

NATIONAL LABOR RELATIONS BOARD,
Petitioner/Cross-Respondent

v.

FEDEX FREIGHT, INC.,
Respondent/Cross-Petitioner

(Agency No. 22-CA-146653)

SUR PETITION FOR REHEARING

Present: SMITH, Chief Judge, MCKEE, AMBRO, FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ, KRAUSE, RESTREPO, SCIRICA*, Circuit Judges

The petition for rehearing filed by respondent/cross-petitioner in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of

*As to panel rehearing only.

the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Anthony J. Scirica
Circuit Judge

Dated: October 26, 2016
tmm/cc: Linda Dreeben, Esq.
Jill A. Griffin, Esq.
Milakshmi V. Rajapakse, Esq.
Brett M. Anders, Esq.
David A. Prather, Esq.
Ivan Rich, Jr., Esq.