

Case No. 16-60386

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

**JACK IN THE BOX INC.,
Petitioner/Cross-Respondent**

v.

**NATIONAL LABOR RELATIONS BOARD,
Respondent/Cross-Petitioner**

Case No. 32-CA-145068

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE PETITIONER/CROSS-RESPONDENT'S RESPONSIVE BRIEF**

Christian J. Rowley (CA #187293)
crowley@seyfarth.com
Alison C. Loomis (CA #296618)
aloomis@seyfarth.com
560 Mission Street, Suite 3100
San Francisco, CA 94105
(415) 397-2823

John J. Toner (DC #1024198)
jtoner@seyfarth.com
975 F. Street, N.W.
Washington, D.C. 20004
(202) 463-2400

Robert J. Carty, Jr (TX #00788794)
rcarty@seyfarth.com
700 Milam Street, Suite 1400
Houston, TX 77002
(713) 225-2300
COUNSEL FOR PETITIONER
Jack in the Box Inc.

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

JACK IN THE BOX INC.,

Petitioner/Cross-Respondent,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent/Cross-Petitioner.

CIVIL ACTION NO. 16-60386

**UNOPPOSED MOTION
OF JACK IN THE BOX INC.
FOR A 21-DAY EXTENSION OF TIME**

TO THE HONORABLE FIFTH CIRCUIT COURT OF APPEALS:

Jack in the Box Inc. (“JIB”), by its Counsel of Record, respectfully files this Unopposed Motion for Extension of Time to File its Brief, requesting a 21-day extension, to and including December 5, 2016, 2016. In support of its motion, JIB states as follows:

1. The National Labor Relations Board (the “Board”) filed its responsive brief on October 27, 2016. Accordingly, JIB’s responsive brief is currently due on November 14, 2016.
2. Good cause exists to extend the time to file JIB’s brief. Counsel has significant work obligations in the upcoming weeks in addition to travel plans and personal commitments.
3. JIB has not previously requested an extension of time. The extension will not unduly prejudice any party.
4. Counsel for the Board has represented that it does not oppose this extension.

WHEREFORE, JIB respectfully requests that the Court grant a 21-day extension of the due date of JIB’s brief, to and including December 5, 2016.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ Christian J. Rowley

Christian J. Rowley (CA #187293)

crowley@seyfarth.com

Alison C. Loomis (CA #296618)

aloomis@seyfarth.com

560 Mission Street, Suite 3100

San Francisco, CA 94105

(415) 397-2823

John J. Toner (DC #1024198)

jtoner@seyfarth.com

975 F. Street, N.W.

Washington, D.C. 20004

(202) 463-2400

Robert J. Carty, Jr. (TX #00788794)

rcarty@seyfarth.com

700 Milam Street, Suite 1400

Houston, TX 77002

(713) 225-2300

Attorneys for Petitioner/Cross-Respondent

JACK IN THE BOX INC.

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2016, I electronically filed the foregoing unopposed motion for extension of time to file petitioner/cross-respondent's brief with the Clerk of the Court for the U.S. Court Appeals for the Fifth Circuit using the appellate CM/ECF system, which constitutes service upon the following registered CM/ECF users:

Ms. Linda Dreeben, Deputy Associate General Counsel:
appellatecourt@nlrb.gov, linda.dreeben@nlrb.gov
Mr. Jared David Cantor, Attorney: jared.cantor@nlrb.gov
Ms. Kira Dellinger Vol: kira.vol@nlrb.gov

I further certify that a copy of the foregoing document was sent by U.S. Mail on November 3, 2016, to the following:

Richard F. Griffin, Jr.
Office of the General Counsel
National Labor Relations Board
1015 Half Street SE
Washington, D.C. 20570-0001

George P. Velastegui
Regional Director
National Labor Relations Board
Oakland Federal Building
1301 Clay Street
Room 300-N
Oakland, CA 94612-5211

Kevin Allen
Velton Zegelman
525 W. Remington Drive, Suite 106
Sunnyvale, CA 94087-2459

• /
s/ Christian J. Rowley
Christian J. Rowley