

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NEW YORK UNIVERSITY)	
Petitioner/Cross-Respondent)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS BOARD)	
Respondent/Cross-Petitioner)	
)	Nos. 15-1437, 16-1006
and)	
)	
UNION OF CLERICAL, ADMINISTRATIVE)	
AND TECHNICAL STAFF AT NYU,)	
LOCAL 3882, NYSUT, AFT, AFL-CIO)	
Intervenor)	

**CONSENT OF THE NATIONAL LABOR RELATIONS BOARD
TO SUMMARY REVERSAL**

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

The National Labor Relations Board, by its Deputy Associate General
Counsel, respectfully consents to the grant of the petition to review and summary
denial of the Board’s cross-application for enforcement of its order in this
case. The Board acknowledges that controlling circuit law requires this result. *See*
Heartland-Plymouth Court MI, LLC v. NLRB, __ F.3d __, 2016 WL 5485145
(Sept. 30, 2016); *Heartland Plymouth Court MI, LLC v. NLRB*, 650 F. App'x 11,

13 (D.C. Cir. 2016) (per curiam) (unpublished); *Enloe Medical Center v. NLRB*,
433 F.3d 834, 838 (D.C. Cir. 2005).

Respectfully submitted,

/s/Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

NATIONAL LABOR RELATIONS BOARD

1015 Half Street, S.E.

Washington, D.C. 20570

Dated at Washington, D.C.
this 6th day of December, 2016

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v.)	Nos. 15-1437, 16-1006
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NATIONAL LABOR RELATIONS BOARD)	
Respondent/Cross-Petitioner)	
)	Board Case No.
and)	02-CA-120698
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UNION OF CLERICAL, ADMINISTRATIVE)	
AND TECHNICAL STAFF AT NYU,)	
LOCAL 3882, NYSUT, AFT, AFL-CIO)	
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CERTIFICATE OF SERVICE

I certify that on December 6, 2016, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system. I further certify that I served the document on the following counsel through the CM/ECF system:

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/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, D.C.
this 6th day of December, 2016