

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

CVS RX SERVICES, INC.)	
)	
Petitioner)	
)	
v.)	No. 16-60289
)	
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 September 19, 2016, the Court placed this case in abeyance pending the outcome of Supreme Court proceedings in *Murphy Oil USA, Inc. v. NLRB* (No. 16-307), *Lewis v. Epic Sys. Corp.* (No. 16-285), and *Morris v. Ernst & Young, LLP* (No. 16-300), and instructed that a stay follow up be filed.
2. It is appropriate for this case to remain in abeyance because the petitions are still pending.

Respectfully submitted,

/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

National Labor Relations Board

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(202) 273-2960

Dated at Washington, DC
this 18th day of November, 2016

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CERTIFICATE OF SERVICE

I certify that on November 18, 2016, the foregoing status report 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
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, DC
this 18th day of November, 2016