

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

U.S. XPRESS ENTEPRISES, INC.)	
)	
Petitioner)	
)	
v.)	No. 15-60871
)	
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 ruling in the Supreme Court in *NLRB v. Murphy Oil USA, Inc.*, No. 16-307; *Lewis v. Epic Sys. Corp.*, No. 16-285; and *Morris v. Ernst & Young, LLP*, No. 16-300.

2. On January 13, 2017, the Supreme Court granted certiorari in all three of those cases. Therefore, it is appropriate for this case to remain in abeyance.

Respectfully submitted,

/s/ Linda Dreeben

Linda Dreeben
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Dated at Washington, DC this
17th day of February, 2017

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CERTIFICATE OF SERVICE

I certify that on February 17, 2017, 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
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National Labor Relations Board
1015 Half Street, SE
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