

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 16-1249**September Term, 2016****NLRB-06CA126251****Filed On:** March 3, 2017

Graymont (PA) Inc.,

Petitioner

v.

National Labor Relations Board,

Respondent

Consolidated with 16-1288

BEFORE: Rogers and Millett, Circuit Judges, and Ginsburg, Senior Circuit
Judge

ORDER

Upon consideration of the consent of the National Labor Relations Board to summary reversal, it is

ORDERED that the petition for review filed in No. 16-1249 be granted and the cross-application for enforcement filed in No. 16-1288 be denied. The National Labor Relations Board concedes that its order is unenforceable, as it did not apply “controlling circuit law.”

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Robert J. Cavello
Deputy Clerk