

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

NATIONAL LABOR RELATIONS BOARD)

Petitioner)

v.)

No. 17-1108

**MASONIC TEMPLE ASSOCIATION OF
DETROIT AND 450 TEMPLE, INC.**)

Respondent)

**UNOPPOSED MOTION OF THE NATIONAL LABOR RELATIONS
BOARD TO EXTEND THE TIME FOR FILING ITS BRIEF**

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

The National Labor Relations Board (“the Board”), by its Deputy Associate General Counsel, hereby moves this Court for a 30-day extension of time for filing its brief, from June 5, 2017, to and including July 5, 2017. In support of this motion, the Board shows as follows:

1. Masonic Temple Association of Detroit and 450 Temple, Inc. filed its opening brief on May 1, 2017, after receiving an extension of 30 days, which the Board did not oppose. Accordingly, the Board’s brief is presently due to be filed on June 5, 2017. The Board has not previously requested an extension in this case.
2. Oral argument has not been scheduled.

3. The additional time is necessary for preparation and review of the Board's brief. Board Counsel Valerie Collins has a brief due on May 26, 2017 in *Mark Tamosiunas, et al. v. NLRB*, No. 16-1338 (D.C. Cir.). In addition, Julie Broido, the supervisory attorney assigned to this case, had a prior commitment to file a brief in opposition to a petition for a writ of certiorari in *Macy's, Inc. v. NLRB*, S. Ct. No. 1016, which was filed on May 10, 2017. Ms. Broido also supervised briefs filed on May 1 in *Local Joint Executive Board of Las Vegas, Culinary Workers Union Local 226 v. NLRB*, No. 15-72878 (9th Cir.), and May 10 in *David Saxe Productions, LLC v. NLRB*, No. 16-1315 (D.C. Cir.). In addition, she was on previously scheduled leave from May 14-21, 2017. Ms. Broido also has a response to a petition for a writ of certiorari in *MasTec Advanced Technologies v. NLRB*, S. Ct. No. 16-1370, which was filed on May 11, 2017.

4. The Board has contacted Eric Frankie, counsel for Masonic Temple, who has no objection to the granting of this motion.

WHEREFORE, the Board respectfully requests that the Court grant this motion, and extend the time for filing its brief to and including July 5, 2017.

Respectfully submitted,

/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

National Labor Relations Board

1015 Half Street, S.E.

Washington, D.C. 20570

(202) 273-2960

Dated at Washington, D.C.
this 22nd day of May, 2017

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that its motion contains 426 words of proportionally-spaced, 14-point type, the word processing system used was Microsoft Word 2010.

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570
(202) 273-2960

Dated at Washington, DC
this 22nd day of May, 2017

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CERTIFICATE OF SERVICE

I certify that on May 22, 2017, I electronically filed the foregoing motion for extension of time with the Clerk of the Court for the United States Court of Appeals for the Sixth Circuit by using the appellate CM/ECF system. I also certify that the foregoing motion was served on all parties or their counsel of record through the CM/ECF system as all counsel are registered users.

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570
(202) 273-2960

Dated at Washington, D.C.
This 22nd day of May, 2017