

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

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NATIONAL LABOR RELATIONS BOARD,	)	
	)	
<i>Petitioner in Contempt,</i>	)	
	)	
<i>v.</i>	)	
	)	Nos. 14-3723 & 15-1187
CONTEMPORARY CARS, INC. doing business	)	
as MERCEDES-BENZ OF ORLANDO and	)	
AUTONATION, INC., single and joint	)	
employers,	)	
	)	
<i>Respondents in Contempt.</i>	)	

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**PETITIONER NATIONAL LABOR RELATIONS BOARD’S  
UNOPPOSED MOTION TO STAY CONTEMPT  
PROCEEDINGS AND HOLD THIS CASE IN ABEYANCE**

The National Labor Relations Board (the “NLRB” or “Board”), appearing now as Petitioner in Contempt, moves the Court to stay contempt proceedings and hold this case in abeyance for ninety days—that is, until February 6, 2018. A stay is warranted because Respondents Contemporary Cars, Inc. and AutoNation, Inc. have taken steps to comply with the Court’s February 26, 2016 Final Judgment (“Judgment”) in this case. The Board therefore anticipates that this post-judgment dispute may be resolved without the necessity of further

Court intervention. In support of this motion, which Respondents do not oppose, the Board asserts the following:

1. On October 2, 2017, the Board filed the *Petition for Adjudication in Civil Contempt and other Civil Relief* (“Petition”) alleging that Respondents are in contempt of this Court’s Judgment by delaying and failing to offer Anthony Roberts, Juan Cazorla, David Poppo, Larry Puzon, and Tumeshwar Persuad full reinstatement to their former jobs. (Contempt Petition, ECF No. 43).

2. The Court ordered Respondents to respond to the Petition by November 15, 2017, and show cause why they should not be held in contempt. (Order granting Respondents’ unopposed motion for extension of time to answer, ECF No. 48).

3. Since the Board filed the Petition, Respondents have conferred with the NLRB through counsel and have sent letters offering reinstatement to Roberts, Cazorla, Poppo, Puzon, and Persuad.

4. The NLRB now has a good faith belief that Respondents will fully comply with the Judgment’s reinstatement remedy without the necessity of further Court intervention.

5. This Court’s “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Tex. Indep. Producers & Royalty Owners Assoc. v. EPA*, 410 F.3d 964, 980 (7th Cir. 2005) (internal quotation mark omitted) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)).

6. For the foregoing reasons, the NLRB respectfully moves the Court to stay proceedings and hold the Petition in abeyance for the next ninety days—that is, until February 6, 2018. If the Court grants this motion, then pursuant to the Court’s direction, the Board will file written case status reports every thirty days.

Respectfully submitted,

**NATIONAL LABOR RELATIONS BOARD**

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Dated at Washington, D.C.,  
this 8th day of November, 2017.

**CERTIFICATE OF COMPLIANCE**

I hereby certify that this motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 509 words. I further certify that this document complies with the typeface and type-style requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in a proportionally spaced typeface – 14 point Century Schoolbook font – using Microsoft Word 2010.

s/ Dean Owens \_\_\_\_\_  
Dalford Dean Owens, Jr.  
Trial Attorney  
NLRB, Contempt, Compliance, and  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Petitioner National Labor Relations Board's Unopposed Motion to Stay Contempt Proceedings and Hold this Case in Abeyance was filed electronically with the Court's CM/ECF system this 8th day of November, 2017, which will send an electronic notice to all registered parties and counsel. Parties may access the filing through the Court's CM/ECF system.

s/ Dean Owens

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Trial Attorney

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