

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

ROSS STORES, INC.)	
)	
)	
Petitioner)	
)	
v.)	No. 15-60916
)	
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 until
completion of proceedings in the Supreme Court 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).

2. The cases were briefed and oral argument was held October 2,
2017. Therefore, the proceedings are not completed and it is appropriate for this

case to remain in abeyance.

Respectfully submitted,

/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 18th day of October 2017

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CERTIFICATE OF SERVICE

I certify that on October 18, 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
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570
(202) 273-2960

Dated at Washington, DC
this 18th day of October 2017