

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

WAL-MART STORES, INC.)	
)	
Petitioner/Cross-Respondent/Intervenor)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS BOARD)	Nos. 16-72963,
)	16-73186 & 16-73279
Respondent/Cross-Petitioner)	
)	
and)	
)	
THE ORGANIZATION UNITED FOR)	
RESPECT AT WALMART)	
)	
Intervenor/Petitioner)	

**UNOPPOSED MOTION TO POSTPONE ORAL ARGUMENT
PENDING SETTLEMENT**

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

The National Labor Relations Board, by its Deputy Associate General
Counsel, respectfully requests that the Court postpone oral argument in this case.

In support of its motion, the Board shows as follows:

1. Oral argument in this case is scheduled for April 11, 2018, at 9 a.m.,
in San Francisco.

2. On March 28, the parties agreed to settlement terms disposing of all
issues in the case. The parties are now reducing those terms to writing and
anticipate executing a final settlement agreement and initiating compliance in the

near future. Upon compliance, the Board anticipates that the parties will file a joint motion to dismiss.

3. Steven Wheelless, counsel for Wal-Mart Stores, Inc., and David Rosenfeld, counsel for the Organization United for Respect at Walmart, do not oppose this motion.

WHEREFORE, the Board requests that the Court grant this motion to postpone oral argument pending settlement.

Respectfully submitted,

/s/Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, DC
this 29th day of March 2018

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that its motion contains 170 words of proportionally-spaced, 14-point type, and 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

Dated at Washington, DC
this 29th day of March 2018

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CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2018, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I certify that the foregoing document was served on all those parties or their counsel of record through the CM/ECF system.

/s/Linda Dreeben _____
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, DC
this 29th day of March 2018