

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

KAISER FOUNDATION HOSPITALS;)	
THE PERMANENTE MEDICAL)	
GROUP, INC,)	
)	
Petitioner/Cross-Respondent)	Case Nos. 18-1004,
)	18-1035
v.)	
)	
NATIONAL LABOR RELATIONS BOARD)	
Respondent/Cross-Petitioner)	
)	
and)	
)	
CALIFORNIA NURSES ASSOCIATION)	
Intervenor)	
_____)	

**JOINT MOTION TO VOLUNTARILY DISMISS,
WITHOUT PREJUDICE, THE PETITION FOR REVIEW AND
CROSS-APPLICATION FOR ENFORCEMENT**

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

Pursuant to Federal Rule of Appellate Procedure 42(b), the National Labor Relations Board (“the Board”), by its Deputy Associate General Counsel, and Kaiser Foundation Hospitals and The Permanente Medical Group, Inc. (together, “Kaiser”), by its counsel, respectfully move the Court for leave to voluntarily dismiss, without prejudice, the petition for review and the cross-application for enforcement, and show:

1. On January 5, 2018, Kaiser filed with the Court a petition to review

the Board's Order in the above-captioned case. On January 31, 2018, the Board filed a cross-application for enforcement of its Order.

2. Kaiser is currently complying with the Board's Order in a manner satisfactory to the Board, thus dispensing with the need for litigation at this time.

3. Each party is to bear its own costs.

4. Kaiser, by its counsel, has authorized the Board to execute this motion on its behalf.

5. Intervenor, by its counsel Marie Walcek, does not oppose this joint motion.

WHEREFORE, the parties respectfully request that their joint motion be granted, and that the petition for review and the cross-application for enforcement be dismissed without prejudice.

For the Board:

/s/ Linda Dreeben
Linda Dreeben, Esq.
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street SE
Washington, DC 20570
(202) 273-2960

Dated:

May 7, 2018

For Kaiser:

/s/ Alicia C. Anderson
Alicia C. Anderson, Esq.
NIXON PEABODY LLP
300 S. Grand Ave., Suite 4100
Los Angeles, CA 90071
(213) 629-6073

Dated:

May 7, 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 268 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 7th day of May, 2018

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CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2018, I electronically filed the foregoing document with Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. I certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/ Linda Dreeben

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

Dated at Washington, D.C.
this 7th day of May, 2018