

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

NFINITE ENTERTAINMENT, INC.	)	
	)	
Petitioner	)	Case No. 19-71533
	)	
v.	)	
	)	
NATIONAL LABOR RELATIONS BOARD	)	Board Case Nos.
	)	28-CA-210838
Respondent	)	28-CA-212152
	)	

**UNOPPOSED MOTION  
OF THE NATIONAL LABOR RELATIONS BOARD  
FOR A 30-DAY EXTENSION OF TIME TO FILE THE CERTIFIED LIST**

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

The National Labor Relations Board (“the Board”), by its Acting Deputy Associate General Counsel, respectfully moves the Court for a 30-day extension of time to file the certified list of the contents of the agency record. In support, the Board shows as follows:

1. On March 19, 2019, the Board issued its Decision and Order in *Wynn Las Vegas, LLC and Nfinite Entertainment, Inc.*, Board Case Nos. 28-CA-210838 and 28-CA-212152, reported at 367 NLRB No. 107.

2. On June 19, 2019, Nfinite Entertainment, Inc. (“Nfinite”) filed a petition for review of the Board’s Order in this Court, which was docketed as Case

No. 19-71533. Accordingly, the certified list of the contents of the agency record is due July 29.

3. On July 10, 2019, the Board filed a cross-application for enforcement of its Order against Nfinite, which was docketed as Case No. 19-71723. On July 11, the Board filed an unopposed motion to consolidate cases 19-71533 and 19-71723. As of today, the motion to consolidate remains pending.

4. The Board is not yet prepared to file the certified list of the contents of the agency record in Case No. 19-71533. The Board therefore moves the Court for a 30-day extension of time to file the certified list, from July 29, 2019, to and including August 28, 2019.

5. The Board conferred with counsel for Nfinite about this motion, and Nfinite does not oppose it.

WHEREFORE, the Board respectfully requests that the Court grant this unopposed motion for a 30-day extension of time to file the certified list in Case No. 19-71533.

Respectfully submitted,

/s/ David Habenstreit  
David Habenstreit  
Acting Deputy Associate General Counsel  
National Labor Relations Board  
1015 Half Street, SE  
Washington, DC 20570

Dated at Washington, DC  
this 22nd day of July, 2019

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	)	

**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that its motion contains 335 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 2016.

/s/ David Habenstreit  
David Habenstreit  
Acting Deputy Associate General Counsel  
National Labor Relations Board  
1015 Half Street, SE  
Washington, DC 20570

Dated at Washington, DC  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 22, 2019, I electronically filed the foregoing with the Clerk for the Court of the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. I further certify that this document was served on all parties or their counsel of record through the appellate CM/ECF system.

/s/ David Habenstreit  
David Habenstreit  
Acting Deputy Associate General Counsel  
National Labor Relations Board  
1015 Half Street, SE  
Washington, DC 20570

Dated at Washington, DC  
this 22nd day of July, 2019