

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

PLANNED BUILDING SERVICES, INC.)	
)	
Petitioner/Cross-Respondent)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS BOARD)	Nos. 18-1082,
)	18-1117
Respondent/Cross-Petitioner)	
)	
and)	
)	
SERVICE EMPLOYEES INTERNATIONAL UNION,)	
LOCAL 32BJ)	
Intervenor)	

**JOINT MOTION OF PLANNED BUILDING SERVICES, INC.
AND THE NATIONAL LABOR RELATIONS BOARD TO
VOLUNTARILY DISMISS THE PETITION FOR REVIEW
AND THE CROSS-APPLICATION FOR ENFORCEMENT**

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

Pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, Planned Buildings Services, Inc. (“PBS”) and the National Labor Relations Board (“the Board”), by its Acting Deputy Associate General Counsel, respectfully move the Court for leave to voluntarily dismiss PBS’s petition for review the Board’s cross-application for enforcement in the above-captioned case, and show as follows:

1. On March 20, 2018, PBS filed a petition for review of the Board's Decision and Order in *AM Property Holding Corp.*, reported at 365 NLRB No. 162 (Dec. 15, 2017). On May 2, the Board cross-applied for enforcement of its Order. Service Employees International Union, Local 32BJ ("the Union") intervened on behalf of the Board.

2. The parties have reached an agreement disposing of all issues in the case and PBS has complied with that agreement, thus dispensing with the necessity for further litigation at this time.

3. Each party is to bear its own attorneys' fees and costs.

4. Counsel for PBS, Marvin Weinberg, has authorized the Board to execute this motion on its behalf. Counsel for the Union, Andrew Strom, does not oppose the motion.

WHEREFORE, the parties respectfully request that the Clerk enter an order dismissing the petition for review and the cross-application for enforcement.

Respectfully submitted,

/s/ David Habenstreit

David Habenstreit

Acting Deputy Associate General Counsel

National Labor Relations Board

1015 Half St, SE

Washington, D.C. 20570-0001

/s/ Marvin Weinberg
Marvin Weinberg
Partner
Fox Rothschild LLP
2000 Market St., 20th Fl
Philadelphia, PA 191033-3222

Dated at Washington, D.C.
this 23rd day of August 2019

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and)	Board Case Nos.
)	02-CA-033146, et al.
SERVICE EMPLOYEES INTERNATIONAL UNION,)	
LOCAL 32BJ)	
Intervenor)	

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that its motion contains 297 words of proportionally spaced, 14-point type, and that 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
this 23rd day of August 2019

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CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system, and that this document was served on all parties or their counsel through the CM/ECF system.

/s/ David Habenstreit
David Habenstreit
Acting Deputy Associate General Counsel
National Labor Relations Board
1015 Half St., SE
Washington, D.C. 20570-0001
(202) 273-2960

Dated at Washington, D.C.
this 23rd day of August, 2019