CASE NO. 19-1102

IN THE UNITED STATES COURT OF APPEALS

FOR THE DISTRICT OF COLUMBIA CIRCUIT

THE COMMITTEE TO PRESERVE THE RELIGIOUS RIGHT TO ORGANIZE,

Petitioner,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

SUPPLEMENTAL DECLARATION OF DAVID A. ROSENFELD IN SUPPORT OF PETITIONER'S OPPOSITION TO NATIONAL LABOR RELATIONS BOARD'S MOTION TO DISMISS

ON APPEAL FROM DECISION AND ORDER OF THE NATIONAL LABOR RELATIONS BOARD
CASE 367 N.L.R.B. NO. 78, CASE 20-CA-139745

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Attorneys for Petitioner THE COMMITTEE TO PRESERVE THE RELIGIOUS RIGHT TO ORGANIZE

1. I am an attorney at law admitted to practice before this Court. I am counsel for the Committee to Preserve the Religious Right to Organize ("Committee").

2. One of the members of the Committee, who wishes to remain unnamed because she fears for her job, is currently employed by Hobby Lobby in a store in California.

3. She is aware of workplace issues that she and other employees have concerning their working conditions, but are required under the arbitration agreement to use the arbitration agreement to resolve or correct.

4. She wishes the Committee to pursue this case to void the arbitration agreement which makes it more difficult to seek to correct those working conditions for herself and other employees.

5. If called as a witness, I could competently testify to the above facts since they are within my personal knowledge.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 19th day of September, 2019, at Alameda, California.

David A. Rosenfeld

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CERTIFICATE OF SERVICE

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501.

I hereby certify that on September 19, 2019, I electronically filed the foregoing **SUPPLEMENTAL DECLARATION OF DAVID A. ROSENFELD IN SUPPORT OF PETITIONER'S OPPOSITION TO NATIONAL LABOR RELATIONS BOARD'S MOTION TO DISMISS** with the United States Court of Appeals, District of Columbia Circuit, by using the Court's CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Notice of Electronic Filing by the Court's CM/ECF system.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on September 19, 2019.

/s/ Karen Kempler
Karen Kempler