

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NATIONAL LABOR RELATIONS
BOARD,

Petitioner,

v.

ALARIS HEALTH AT THE
ATRIUM,

Respondent.

Board Case No.: 22-CA-206004

Civil Action No.: 19-3451

UNCONTESTED MOTION FOR EXTENSION OF TIME

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

Respondent Alaris Health at the Atrium (õRespondentö) respectfully moves this Court for an order extending Respondent's time to respond to the National Labor Relations Board's (õPetitionerö or õBoardö) Application for Summary Entry of a Judgment Enforcing an Order of the National Labor Relations Board (õApplicationö). In support of its Motion to Extend Time (õMotionö), Respondent shows:

1. On October 23, 2019, Petitioner filed its Application (Document: 003113385718).
2. On November 1, 2019, Respondent filed an Entry of Appearance for David F. Jasinski, Esq.; an Agency Information Statement; and a Disclosure Statement

(Document: 003113393463; Document: 003113393475; Document: 003113393476; and Document: 003113393485, respectively).

3. Respondent's Answer/Opposition to Petitioner's Application was initially due on Friday, November 15, 2019.

4. On November 13, 2019, Respondent filed an Uncontested Motion to Extend Time to Respond to Petitioner's Application for Summary Entry of a Judgment Enforcing an Order of the National Labor Relations Board. Respondent's Counsel sought this extension because Respondent was diligently working to amicably resolve the issues set forth in Petitioner's Application and was in communication with Petitioner's Counsel regarding same. To the extent that the parties could amicably resolve the underlying dispute, it would render Petitioner's Application moot.

5. On November 19, 2019, the Court granted Respondent's request, extending Respondent's deadline to answer or oppose Petitioner's Application to December 16, 2019.

6. On November 13, 2019 and again on December 12, 2019, Respondent's Counsel provided Petitioner the information requested by the Board. Petitioner's Counsel has consented to a one month extension of time of Respondent's deadline to answer or oppose Petitioner's Application in order to allow Petitioner sufficient time to review the information provided and possibly dismiss the proceedings.

7. As such, Respondent seeks a one (1) month extension to Answer/Oppose Petitioner's Application.
8. Respondent does not make this Motion for the purpose of delay.
9. This is Respondent's second request for an extension of time to file its Answer/Opposition.
10. We recognize that the Court disfavors Motions for Extensions of Time. However, under the circumstances described above as well as Respondent's desire and belief that this matter may be resolved without the need for additional filings and for good cause shown, we respectfully urge the Court to grant this Motion.

WHEREFORE, Respondent respectfully requests that is Motion be granted, and Respondent's time to Answer/Oppose Petitioner's Application be extended through January 16, 2020.

Dated: December 12, 2019

Respectfully submitted,

JASINSKI, P.C.

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