

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

MANHATTAN COLLEGE)	
)	
Petitioner/Cross-Respondent)	
)	
v.)	Case Nos. 18-1113,
)	18-1158
NATIONAL LABOR RELATIONS BOARD)	
)	
Respondent/Cross-Petitioner)	
)	
and)	
)	
MANHATTAN COLLEGE ADJUNCT)	
FACULTY UNION and NEW YORK STATE)	
UNITED TEACHERS)	
)	
Intervenors)	

MOTION TO GOVERN FURTHER PROCEEDINGS

On June 26, 2018, the Court placed this case in abeyance and directed the parties to file motions to govern further proceedings within 30 days of the Court’s disposition of *Duquesne University v. NLRB*, Nos. 18-1063, 18-1078, and *Saint Xavier University v. NLRB*, Nos. 18-1076, 18-1086. On January 28, 2020, the Court issued a decision in *Duquesne University* granting Duquesne’s petition for review and denying the Board’s cross-application for enforcement.

The Board asks that the Court continue to hold this case in abeyance pending the issuance of mandate in *Duquesne University*. The Board also recommends

that, within 30 days after the *Duquesne University* mandate issues, the parties file additional motions to govern further proceedings in this case.¹

Respectfully submitted,

/s/ David Habenstreit
David Habenstreit
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National Labor Relations Board
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Dated at Washington, DC
this 25th day of February, 2020

¹ The Court is currently holding *Saint Xavier University* in abeyance and has directed the parties to file motions to govern further proceedings after the disposition of *Duquesne University*. Simultaneously with this motion, the Board is similarly asking the Court to continue holding *Saint Xavier University* in abeyance pending the *Duquesne University* mandate.

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that this document contains 169 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word 2016.

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2020, I electronically filed the foregoing document with the 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 foregoing document will be served via the CM/ECF system on all parties or their counsel of record.

/s/ David Habenstreit
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Dated at Washington, DC
this 25th day of February, 2020