

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

<b>SAINT XAVIER UNIVERSITY</b>	)	
	)	
<b>Petitioner/Cross-Respondent</b>	)	
	)	
<b>v.</b>	)	<b>Case Nos. 18-1076</b>
	)	<b>&amp; 18-1086</b>
<b>NATIONAL LABOR RELATIONS BOARD</b>	)	
	)	
<b>Respondent/Cross-Petitioner</b>	)	
	)	
<b>and</b>	)	
	)	
<b>SAINT XAVIER UNIVERSITY ADJUNCT FACULTY UNION, NEA-IEA</b>	)	
	)	
<b>Intervenor</b>	)	

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**MOTION TO GOVERN FURTHER PROCEEDINGS**

On September 19, 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. 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.

Respectfully submitted,

/s/ David Habenstreit

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

## **CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that this document contains 108 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word 2016.

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## **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