

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
CASE NOS. 20-1084, 20-1338

A.S.V. INC.)
)
 Petitioner)
)
 v.)
)
 NATIONAL LABOR RELATIONS)
 BOARD,)
 Respondent)
)
)
 And)
)
 INTERNATIONAL BROTHERHOOD)
 OF BOILERMAKERS IRON SHIP)
 BUILDERS, BLACKSMITHS,)
 FORGERS AND HELPERS, AFL-CIO,)
)
 Intervenor)

UNOPPOSED MOTION OF A.S.V., INC. TO
FURTHER AMEND BRIEFING SCHEDULE

NOW COMES A.S.V. Inc., Petitioner herein, and moves that the briefing schedule be further amended as follows:

1. This is a petition to review, and a cross-application to enforce, an order of the National Labor Relations Board. The underlying case involves a layoff of some thirteen employees and whether the Intervenor Union is the properly certified bargaining representative of certain employees of A.S.V. The administrative record is complex and very large.

2. A.S.V., the Board, and the Union are currently engaged in productive discussions regarding a global settlement of all pending issues. If successful, it is anticipated that both the petition for review and the cross-application for enforcement would be withdrawn or dismissed, obviating any necessity for court review. Substantial progress has been made, and the parties are close to reaching a complete agreement. However, several details still need to be resolved.

3. The court's initial briefing schedule established a due date of March 9, 2020 for filing of A.S.V.'s Opening Brief and Appendix. At the request of the parties, the Court extended the due date to April 17, 2020.

4. In order to completely resolve all issues and reach a complete agreement, the parties need additional time. The parties thus request that the due date for filing of A.S.V.'s Opening Brief and Appendix be extended an additional twenty-eight days, to and including May 15, 2020.

5. Neither the Board nor the Union opposes this motion.

WHEREFORE, A.S.V., Inc., respectfully requests that the briefing schedule be amended to provide that A.S.V.'s Opening Brief and Appendix be due on May 15, 2020, and all other briefing dates be extended accordingly.

This 10th day of April 2020.

/s/ Charles P. Roberts III
Charles P. Roberts III

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type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word 2013 in size 14-point Times New Roman font.

This 10th day of April 2020.

/s/ Charles P. Roberts III
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**CERTIFICATES OF SERVICE
FOR DOCUMENTS FILED USING CM/ECF**

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I hereby certify that on _____, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/ _____