

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

NATIONAL LABOR RELATIONS BOARD)	
)	No. 20-1949
Petitioner)	
)	
v.)	Board Case No.
)	06-CA-063690
MCPc, INC.)	
Respondent)	

**MOTION OF THE NATIONAL LABOR RELATIONS BOARD
TO SUSPEND CERTIFIED-LIST DUE DATE PENDING DEFAULT**

The National Labor Relations Board, by its Assistant General Counsel, respectfully moves this Court to suspend the due date for filing the certified list pending resolution of the Board’s just-filed Motion for Entry of a Default Judgment, and shows:

1. On May 4, 2020, the Board filed an application for enforcement of its Decision and Order dated May 23, 2019 (367 NLRB No. 137). Under this Court’s June 2 order, the Board’s certified list is due on June 12.

2. As of the filing of this motion, Respondent has not filed an answer to the Board’s application for enforcement. That answer was due on May 26 pursuant to Federal Rule of Appellate Procedure 15(b)(2) and the Court’s May 5 case-opening order. Consequently, the Board has this day filed a Motion for Entry of a Default Judgment.

3. Given the just-filed default motion, the Board requests that the Court hold in abeyance the Board's filing of the certified list pending resolution of the default motion. Should that motion be denied, the Board respectfully requests that the Court grant it two weeks from the date of denial to file the certified list.

WHEREFORE, the Board respectfully requests that the Court grant the Board's motion to suspend its certified-list due date pending resolution of its Motion for Entry of a Default Judgment.

/s/ David Habenstreit
David Habenstreit
Assistant General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, SE
Washington, DC 20570
(202) 273-2960

Dated at Washington, DC
this 11th day of June 2020

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

NATIONAL LABOR RELATIONS BOARD)	
)	No. 20-1949
Petitioner)	
)	
v.)	Board Case No.
)	06-CA-063690
MCPc, INC.)	
Respondent)	

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that this document contains 296 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 365.

/s/David Habenstreit
David Habenstreit
Assistant General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, DC
this 11th day of June 2020

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

NATIONAL LABOR RELATIONS BOARD)	
)	No. 20-1949
Petitioner)	
)	
v.)	Board Case No.
)	06-CA-063690
MCPc, INC.)	
Respondent)	

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2020, I filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for Third Circuit by using CM/ECF system. I certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

/s/David Habenstreit
David Habenstreit
Assistant General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, DC
this 11th day of June 2020