

**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	)	

**RESPONDENT’S UNOPPOSED MOTION FOR LEAVE TO FILE  
ANSWER OUT OF TIME TO APPLICATION FOR ENFORCEMENT OF  
AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**

Respondent MCPc, Inc., by its undersigned attorneys, hereby files its Unopposed Motion for Leave to File Answer out of Time to Application for Enforcement of an Order of the National Labor Relations Board, and in support thereof, states as follows:

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).
2. Pursuant to Rule 15(b)(2) of the Federal Rules of Appellate Procedure, Respondent was required to serve on the Board, and file with this Court, an answer to the Board’s application within 21 days. On June 11, 2020, the Board filed a Motion for Entry of Default.

3. Contemporaneous with the filing of this Motion, MCPc, Inc. filed its Answer to Application for Enforcement of an Order of the National Labor Relations Board.
4. In advance of filing this Motion, counsel for MCPc, Inc. shared with Counsel for the Board the reasons for seeking leave to file its Answer beyond the deadline. Counsel for the Board was understanding of the situation and graciously agreed not to oppose this Motion.
5. As undersigned counsel explained to Counsel for the Board, his young adult son, who has been living in the family home due to the COVID-19 pandemic, suffered a severe mental health setback in early May, which wrought havoc on undersigned counsel's personal and professional life. Despite every effort to maintain professional obligations and deadlines, counsel inadvertently missed the filing of the Board's application and failed to respond before the time permitted for doing so elapsed.
6. The granting of this Motion does not result in any delays or alteration of any scheduling in this case, and there is no prejudice to any Party.
6. Undersigned counsel respectfully asks this Court to extend him latitude in light of these regrettable events by accepting the belated filing of the Answer on behalf of MCPc, Inc.

WHEREFORE, Respondent MCPc, Inc. respectfully requests that the Court grant this unopposed motion for leave to file the answer out of time.

DATED this 11th day of June, 2020

Respectfully submitted,

/s/ Scott V. Kamins

Scott Kamins

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that this document contains 430 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 365.

DATED this 11th day of June, 2020

Respectfully submitted,

/s/ Scott V. Kamins  
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**CERTIFICATE OF SERVICE**

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

DATED this 11th day of June, 2020

Respectfully submitted,

/s/ Scott V. Kamins  
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