

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD,

Applicant,

v.

No. 20-9531

SMITH'S FOOD AND DRUG CENTERS, INC.

Respondent.

**MOTION OF SMITH'S FOOD AND DRUG CENTERS, INC.,  
TO WITHDRAW ITS OBJECTION TO ENTRY  
OF PROPOSED JUDGMENT**

On June 12, 2020, Respondent Smith's Food and Drug Centers, Inc., ("Smith's") filed its answer to the application of the National Labor Relations Board for summary enforcement, indicating its opposition to entry of the judgment proposed by the Board. On July 10, 2020, pursuant to Smith's request in a response to the Court's order entered on June 16, 2020, the parties held discussions under the auspices of the Circuit Mediation Office.

Upon further consideration, Smith's hereby moves to withdraw its opposition to entry of the judgment proposed by the Board in conjunction with its application for summary enforcement.

Counsel for the Board does not oppose this motion.

Respectfully submitted,

RODEY, DICKASON, SLOAN, AKIN &  
ROBB, P.A.

*s/ Edward Ricco*

By \_\_\_\_\_

Thomas L. Stahl

Edward Ricco

Post Office Box 1888

Albuquerque, New Mexico 87103

Telephone: (505) 765-5900

tstahl@rodey.com

ericco@rodey.com

**CERTIFICATE REGARDING  
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RODEY, DICKASON, SLOAN, AKIN &  
ROBB, P.A.

*s/ Edward Ricco*

By \_\_\_\_\_

Edward Ricco

**CERTIFICATE OF SERVICE**

I certify that on July 24, 2020, I filed the foregoing pleading electronically through the CM/ECF system, which caused all other parties or counsel in this

matter to be served by electronic means as more fully reflected on the Notice of Docket Activity.

RODEY, DICKASON, SLOAN, AKIN &  
ROBB, P.A.

*s/ Edward Ricco*

By \_\_\_\_\_  
Edward Ricco