

**UNITED STATES COURT OF APPEALS**  
**for the**  
**SECOND CIRCUIT**

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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 30<sup>th</sup> day of July, two thousand twenty,

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National Labor Relations Board,

Petitioner-Cross-Respondent,

v.

Nico Asphalt Paving, Inc., and its Successor in Interest,  
Alter Ego, City Wide Paving, Inc.,

Respondents-Cross-Petitioners.

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**ORDER**

Docket No: 20-77

Counsel for RESPONDENT has filed a scheduling notification pursuant to the Court's Local Rule 31.2, setting October 26, 2020 as the brief filing date.

It is HEREBY ORDERED that Respondent's brief must be filed on or before October 26, 2020. If the brief is not filed by that date, the appeal will proceed to a merits panel for determination forthwith, and Respondent will be required to file a motion for permission to file a brief and appear at oral argument. A motion to extend the time to file the brief or to seek other relief will not toll the filing date. See Local Rule 27.1(f)(1); cf. RLI Insurance Co. v. JDJ Marine, Inc., 716 F.3d 41, 43-45 (2d Cir. 2013).]

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
