

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

ONCOR ELECTRIC DELIVERY, L.L.C.,	)	
	)	
Petitioner Cross-Respondent	)	
	)	
v.	)	No. 20-60229
	)	
NATIONAL LABOR RELATIONS	)	
BOARD,	)	
	)	
Respondent Cross-Petitioner	)	

**UNOPPOSED MOTION OF ONCOR ELECTRIC DELIVERY FOR A 14-DAY EXTENSION OF TIME TO FILE REPLY BRIEF**

Oncor Electric Delivery, LLC (“Oncor”), through its counsel, respectfully submits this unopposed motion for a 14-day extension of time to file its reply brief, through and including September 2, 2020. In support thereof, Oncor shows as follows:

1. On March 6, 2020, the National Labor Relations Board (the “Board”) issued a Decision and Order (“Order”) in Board Case No. 16-CA-212174. *See Oncor Electric Delivery, L.L.C.*, 369 NLRB No. 40, 2020 WL 1154769 (Mar. 6, 2020).
2. On March 24, 2020, Oncor filed a petition for this Court to review the Board’s Order, which the Court docketed as Case No. 20-60229. On April 24, 2020, the Board filed a cross-application to enforce its Order, which the Court consolidated with Oncor’s petition for review.

3. On May 4, the Court issued a notice for Oncor to file its opening brief on June 15. Oncor timely filed its brief on June 15, 2020, without extension. The Board's response brief was due on July 15, 2020, but the Board moved for a 14-day extension of time to file its response brief, through and including July 29, 2020. This motion was unopposed by Oncor, and granted by this Court.

4. The Board filed its response brief on July 29, 2020. Accordingly, Oncor's reply brief is currently due August 19, 2020.

5. Oncor respectfully moves for a 14-day extension of time to file its response brief, through and including September 2, 2020.

6. This extension is necessary because attorneys Amber Rogers and Gary Enis have substantial responsibilities in consolidated cases *Yvette Nimenya v. John Morell & Co.*, 8th Cir. No. 20-2080 and *Sala Naambwe v. John Morell & Co.*, 8th Cir. No. 20-2022 (response brief due September 2, 2020).

7. Due to the briefing schedule, it will not be possible for Oncor's counsel to exercise the required due diligence to prepare the reply brief in this case before the August 19, 2020 deadline.

8. In accordance with 5th Cir. R. 27.4, undersigned counsel contacted counsel for the Board, Gregoire Sauter, who indicated that the Board does not oppose the relief Oncor requests in this Motion.

Oncor respectfully requests that this Court grant its unopposed motion to extend the time to file Oncor's reply brief through and including September 2, 2020.

Respectfully submitted,

HUNTON ANDREWS KURTH LLP

s/ Amber M. Rogers

Amber M. Rogers

Email: [arogers@huntonak.com](mailto:arogers@huntonak.com)

Texas Bar No. 24056224

Gary Enis

Email: [genis@huntonak.com](mailto:genis@huntonak.com)

Texas Bar No. 24101733

Fountain Place

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202-2799

Telephone: 214-979-3000

Facsimile: 214-880-0011

Attorneys for Petitioner Cross-  
Respondent Oncor Electric Delivery,  
LLC

**CERTIFICATE OF CONFERENCE**

Counsel for Petitioner/Cross-Respondent certifies that it contacted Counsel for Respondent/Cross-Petitioner to ascertain if Respondent/Cross-Petitioner opposes the relief requested in this Motion, and Counsel for Respondent/Cross-Petitioner did not oppose the relief requested herein.

Respectfully submitted,

HUNTON ANDREWS KURTH LLP

s/ Amber M. Rogers

Amber M. Rogers

Email: [arogers@huntonak.com](mailto:arogers@huntonak.com)

Texas Bar No. 24056224

Gary Enis

Email: [genis@huntonak.com](mailto:genis@huntonak.com)

Texas Bar No. 24101733

Fountain Place

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202-2799

Telephone: 214-979-3000

Facsimile: 214-880-0011

Attorneys for Petitioner Cross-  
Respondent Onco Electric Delivery,  
LLC

**CERTIFICATE OF SERVICE**

I certify that on the 12th day of August, 2020, I caused the foregoing to be filed with the United States Court of Appeals for the Fifth Circuit and a copy of the same to be served on the following counsel of record via ECF, except as otherwise noted below:

David S. Habenstreit  
Assistant General Counsel  
appellatecourt@nlrb.gov  
National Labor Relations Board  
Appellate & Supreme Court  
Litigation Branch  
1015 Half Street, S.E.  
Washington, DC 20570

Gregoire Sauter  
gregoire.sauter@nlrb.gov  
National Labor Relations Board  
Appellate & Supreme Court  
Litigation Branch  
1015 Half Street, S.E.  
Washington, DC 20570

Julie Brock Broido  
Supervisory Attorney  
julie.broido@nlrb.gov  
National Labor Relations Board  
Appellate & Supreme  
Court Litigation Branch  
1015 Half Street, S.E., Suite 4118  
Washington, DC 20570

(via certified mail)  
Timothy L. Watson  
Regional Director  
Timothy.Watson@nlrb.gov  
National Labor Relations  
Board, Region 16  
819 Taylor Street, Room 8A24  
Fort Worth, Texas 76102

Maxie E. Gallardo  
Counsel for the General Counsel  
Maxie.Gallardo@nlrb.gov  
National Labor Relations Board,  
Region 16  
819 Taylor Street, Room 8A24  
Fort Worth, Texas 76102

s/ Amber M. Rogers  
\_\_\_\_\_  
Amber M. Rogers  
Counsel for Petitioner Cross-Respondent  
Oncor Electric Delivery, LLC

**CERTIFICATE OF COMPLIANCE**

This motion complies with the word limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts exempted by Fed. R. App. P. 32(f), it contains 392 words. This motion complies with the requirements of Fed. R. App. P. 32(a)(5) and Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2010.

s/ Amber M. Rogers \_\_\_\_\_  
Amber M. Rogers

Attorney for Petitioner/Cross-  
Respondent