

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

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**No. 19-14937**

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**EVERGLADES COLLEGE, INC. D/B/A KEISER UNIVERSITY AND  
EVERGLADES UNIVERSITY**

**Petitioner/Cross-Respondent**

**v.**

**NATIONAL LABOR RELATIONS BOARD**

**Respondent/Cross-Petitioner**

**and**

**LISA K. FIKKI**

**Intervenor**

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**CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Eleventh Circuit Rule 26.1, the National Labor Relations Board certifies that the following listed persons and entities have an interest in the outcome of this case:

1. Becker, Harold Craig, counsel for Charging Party;
2. Cohen, David, Regional Director, Region 12, National Labor Relations Board;
3. Emanuel, William J., Member, National Labor Relations Board;

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4. Everglades College, Inc. d/b/a Keiser University and Everglades University, Petitioner;
5. Farb, Gail E., counsel for Everglades College, Inc.;
6. Fikki, Lisa K., Charging Party;
7. Ginsberg, Matthew J., counsel for Charging Party;
8. Habenstreit, David, Acting Deputy Associate General Counsel, National Labor Relations Board;
9. Heller, Joel, counsel for the National Labor Relations Board;
10. Kaplan, Marvin E., Member, National Labor Relations Board;
11. Leonard, Caroline, Counsel for the General Counsel, Region 12, National Labor Relations Board;
12. McFerran, Lauren, Member, National Labor Relations Board;
13. National Labor Relations Board, Respondent;
14. Olivero, Melissa M., Administrative Law Judge, National Labor Relations Board;
15. Pabon-Lockley, Chastity, Compliance Officer, National Labor Relations Board;
16. Ring, John F., Chairman, National Labor Relations Board;
17. Robb, Peter B., General Counsel, National Labor Relations Board;

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18. Rothschild, Roxanne L., Executive Secretary, National Labor Relations Board;
19. Stock, Alice, Deputy General Counsel, National Labor Relations Board;
20. Vol, Kira Dellinger, counsel for the National Labor Relations Board;
21. Waldman, James W., General Counsel for Everglades College, Inc.;
22. Williams Parker Harrison Dietz & Getzen, counsel for Everglades College, Inc.

Respectfully submitted,

/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 17th day of August, 2020

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**LISA K. FIKKI**

**Intervenor**

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**UNOPPOSED JOINT MOTION TO DISMISS**

To the Honorable, the Judges of the United States  
Court of Appeals for the Eleventh Circuit:

Pursuant to Federal Rule of Appellate Procedure 42(b), Everglades College, Inc. d/b/a Keiser University and Everglades University, the National Labor Relations Board, and Lisa Fikki jointly move to dismiss these consolidated cases, as follows:

1. The parties have reached an agreement to resolve these cases, dispensing with the need for further litigation.
2. The parties jointly request that the Court dismiss Everglades' petition for review with prejudice.

3. The parties also jointly request that the Court dismiss the Board's cross-application for enforcement without prejudice.

4. Each party is to bear its own costs.

5. Counsel for Everglades and Fikki have authorized the Board to file this motion on their behalf.

WHEREFORE, the parties respectfully request that Everglades' petition for review be dismissed with prejudice and the Board's cross-application for enforcement be dismissed without prejudice.

Respectfully submitted,

/s/ David Habenstreit  
David Habenstreit  
Assistant General Counsel  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570  
(202) 273-2960

/s/ Gail E. Farb  
Gail E. Farb  
Williams Parker  
200 South Orange Ave.  
Sarasota, FL 34236  
(941) 552-2557  
*Counsel for Everglades College, Inc.*

/s/ Craig Becker  
Craig Becker  
General Counsel, AFL-CIO  
815 16th St. NW  
Washington, DC 20006  
(202) 637-5310  
*Counsel for Lisa K. Fikki*

Dated at Washington, DC  
this 17th day of August, 2020

## **CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that this motion contains 150 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word 2016.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on August 17, 2020, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. I certify that the foregoing document will be served via the CM/ECF system on all parties or their counsel of record.

/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 17th day of August, 2020