

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

\_\_\_\_\_  
TAYLOR RIDGE PAVING AND )  
CONSTRUCTION CO., )

Petitioner, Cross-Respondent),

v. )

Case Nos. 20-1057, 20-1102

NATIONAL LABOR RELATIONS )  
BOARD, )

Respondent, Cross-Petitioner).  
\_\_\_\_\_)

**PETITIONER’S UNOPPOSED MOTION  
FOR ENLARGEMENT OF TIME TO FILE THE APPENDIX AND BRIEF**

Taylor Ridge Paving and Construction Co., through counsel of record, respectfully requests a two-month enlargement of the briefing schedule for Petitioner to file the Appendix and opening Brief, from September 1, 2020 to November 2, 2020. This enlargement of time will enable the case to continue in the Court’s Mediation Program.

In support of this Motion, Petitioner states:

1. Petitioner’s Opening Brief and Appendix are scheduled to be filed September 1, 2020.
2. This case was selected for mediation in the Court’s Mediation Program and Mediator Ernest Eisenstadt has been assigned.
4. The parties and Mediator Eisenstadt have been in regular

communication regarding matters in dispute and have exchanged information and documentation regarding their positions. The parties have a conference call between lead counsel scheduled for August 19, 2020, and an all-party mediation session scheduled with Mediator Eisenstadt for August 25, 2020.

5. It is expected that consultations between the parties will continue after the scheduled August 25, 2020, mediation session which will take them time to resolve some factual issues which may ultimately result in a resolution.

6. Counsel for the Respondent National Labor Relations Board was contacted about this motion and stated the Board has no objection to the enlargement of time sought by Petitioner. Mediator Eisenstadt also knows this motion for enlargement of time is being filed for the period requested.

7. An enlargement of time to allow the parties to continue to mediate their dispute under the auspices of the District of Columbia Circuit's Mediation Program will prejudice none of the parties or impede the presentation of the case to the Court.

WHEREFORE, for good cause shown, Petitioner Taylor Ridge Paving and Construction Co., respectfully requests this Consented to Motion for Enlargement

of Time to file the Appendix and opening Brief be extended to November 2, 2020.

Respectfully submitted.

/s/ Michael E. Avakian

Michael E. Avakian

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August 18, 2020

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT**

Pursuant to Federal Rule of Appellate Procedure 32(a)(7)©, the undersigned certifies this Motion complies with the type-volume limitations of Federal Rule of Appellate Procedure 27(d)(2)(A).

1. Exclusive of the exempted portions of the Motion, as provided in Fed. R. App. Proc. 32(f) and Local Rule of this Court, this Motion includes 314 words.

2. This Motion has been prepared in WordPerfect X9 with proportionally spaced typeface in 14 point Times New Roman font for text and 14 point for footnotes. As permitted by Fed. R. App. Proc. 32(g)(1), the undersigned has relied upon the word count of this word-processing system in preparing this certificate.

Respectfully submitted.

/s/ Michael E. Avakian

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	)	
Respondent, Cross-Petitioner.	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Motion for Enlargement of Time was served on the following counsel utilizing the Court's electronic case filing system on this 18th day of September 2020:

David Habenstreit  
Usha Dheenan  
Michael Hickson  
National Labor Relations Board  
1015 Half Street, S.E.  
Washington, D.C. 20570

and by email to:

Mr. Ernest Isenstadt  
ernestisenstadt@gmail.com  
703-847-4711

/s/ Michael E. Avakian  
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