

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

MOTOR CITY PAWN BROKERS INC.,

Appellant,

COA Case No. 20-1730

v.

THE NATIONAL LABOR RELATIONS
BOARD,

NLRB Case Nos.
07-CA-179458
07-CA-179461

Appellee.

**MOTION TO INTERVENE BY INTERESTED PARTIES PATRICIA
TILMON, TERRENCE WALKER, AND GIANLUCA BARTOLUCCI**

Pursuant to Federal Rule of Appellate Procedure 15(d), Patricia Tilmon (“Tilmon”), Terrence Walker (“Walker”) and Gianluca Bartolucci (“Bartolucci”) move to intervene in the Petition for Review filed by Motor City Pawn Brokers Inc. on August 3, 2020. Tilmon, Walker, and Bartolucci seek to intervene on the side of The National Labor Relations Board (“NLRB”), and cite the following in support:

Tilmon and Walker are the Charging Parties who initiated the underlying NLRB proceedings that gave rise to Motor City Pawn Broker Inc.’s Petition for Review. (NLRB Case Nos. 07-CA-179458 and 07-CA-179461). Mr. Bartolucci was added as a Charging Party in the above-referenced NLRB Cases when the amended charge was filed.

Tilmon, Walker, and Bartolucci have a substantial interest in the outcome of this matter. It is their labor rights that are at stake in this case, since the NLRB ruled that Motor City Pawn Brokers Inc. violated their rights. Tilmon, Walker, and Bartolucci have a direct and concrete interest in defending the NLRB's ruling and in ensuring that they and their fellow bargaining unit employees receive a proper remedy from Motor City Pawn Brokers for the violations they suffered.

Through their retained counsel, Tilmon, Walker, and Bartolucci have participated in all aspects of this case since its inception, from the trial before the administrative law judge through the exceptions process at the NLRB.

Moreover, as the Charging Parties in the underlying NLRB unfair labor practice cases, Tilmon, Walker, and Bartolucci have a right to intervene in any appellate proceedings arising from their unfair labor practice charge. *UAW Local 283 v. Scofield*, 382 U.S. 205, 208, 217-22 (1965) (recognizing the right of a successful charging party to intervene in the appellate proceeding and that "Congress intended to confer intervention rights upon the successful party to the Labor Board proceedings in the court in which the unsuccessful party challenges the Board's decision.").

WHEREFORE, Patricia Tilmon, Terrence Walker, and Gianluca Bartolucci move this Court for permission to intervene as full parties to brief and argue on the side of the Respondent NLRB.

Respectfully submitted,

/s/ Angela L. Walker

Angela L. Walker (P67625)

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Attorneys for Tilmon, Walker, and
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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rules of Appellate Procedure 27(d), 32(a)(5) and 32(a)(6), the undersigned certifies that this motion contains 352 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word.

Respectfully submitted,

/s/ Angela L. Walker
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of August, 2020, a true and correct copy of the foregoing Motion to Intervene was filed with the Court's ECF system, and all current parties have thereby been served.

Respectfully submitted,

/s/ Angela L. Walker
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