

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

DYNAMIC NURSING SERVICES, INC.)	
)	No. 20-71402
Petitioner)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS BOARD)	
)	
Respondent)	

NATIONAL LABOR RELATIONS BOARD)	
)	No. 20-72589
Petitioner)	
)	
v.)	
)	
DYNAMIC NURSING SERVICES, INC.)	
)	
Respondent)	

**UNOPPOSED MOTION OF THE
NATIONAL LABOR RELATIONS BOARD
TO CONSOLIDATE CASES**

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

The National Labor Relations Board moves the Court to consolidate the
above-captioned cases. In support, the Board shows:

1. On March 27, 2020, the Board issued a Decision and Order in
Dynamic Nursing Services, Inc., 369 NLRB No. 49.

2. On May 18, 2020, Dynamic Nursing filed a petition for review of the Board's Order in this Court. (Case No. 20-71402). The Court issued a briefing schedule, under which Dynamic's brief is due September 8, 2020, and the Board's brief is due October 8, 2020.

3. The Board filed a cross-application for enforcement of its Order on August 31, 2020. (Case No. 20-72589.) The Court issued a briefing schedule, under which Dynamic's brief is due November 19, 2020, and the Board's brief is due December 21, 2020.

4. The above-captioned cases are appropriate for consolidation because they arise out of the same Board proceeding, present the same legal issues, and involve the same parties and the same Board Order.

5. If the Court grants the motion to consolidate, the Board also requests that the Court establish a single briefing schedule for the consolidated case.

6. Counsel for Dynamic Nursing does not oppose this motion.

WHEREFORE, the Board requests that its motion be granted.

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 2nd day of September 2020

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), I certify that this motion contains 219 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word 2016.

CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2020, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system. I certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

/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 2nd day of September, 2020