

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

NATIONAL LABOR RELATIONS BOARD)	
)	
Petitioner/Cross-Respondent	)	No. 20-1589
)	
v.)	
	)	Board Case Nos.
MAINE COAST REGIONAL HEALTH FACILITIES,	)	01-CA-209105
d/b/a MAINE COAST MEMORIAL HOSPITAL,	)	01-CA-212276
the sole member of which is EASTERN MAINE)	
HEALTHCARE SYSTEMS)	
)	
Respondent/Cross-Petitioner)	

**UNOPPOSED MOTION OF THE NATIONAL LABOR RELATIONS
BOARD FOR A 7-DAY EXTENSION OF TIME FOR FILING ITS BRIEF**

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

The National Labor Relations Board (“the Board”), by its Assistant General Counsel, respectfully moves that the time for filing the Board’s answering brief be extended by one week. Respondent/Cross-Petitioner Maine Coast Regional Health Facilities, d/b/a Maine Coast Memorial Hospital, the sole member of which is Eastern Maine Healthcare Systems (“the Employer”) does not oppose the Board’s motion. In support of its motion, the Board shows:

1. On March 30, 2020, the Board issued a Decision and Order against the Employer, reported at 369 NLRB No. 51. On June 12, the Board filed an

application for enforcement of its Order with the Court. On June 22, the Employer filed a cross-petition for review. The Employer filed its opening brief on August 31. The Board's answering brief is currently due September 30.

2. Board counsel with primary responsibility for preparing the Board's brief, Eric Weitz, has conflicting work obligations. Mr. Weitz is responsible for presenting telephonic oral argument before the Eleventh Circuit in *International Brotherhood of Teamsters, Local 947 v. NLRB*, 11th Cir. No. 19-12745, which is scheduled for September 25.

3. As a result, it will not be possible for Board counsel, with due diligence and giving priority to the preparation of the brief, to file the Board's brief on September 30 as currently scheduled. To allow sufficient time to prepare its brief, the Board respectfully requests a 7-day extension of time to file its brief.

4. Board counsel has informed counsel for the Employer, and the Employer does not oppose the Board's motion.

WHEREFORE, the Board respectfully requests that the Court grant its motion and extend the time for filing the Board's answering brief by 7 days.

Dated at Washington, D.C.,
this 17th day of September, 2020

/s/ David Habenstreit
David Habenstreit
Assistant General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570
(202) 273-2960

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

)	
NATIONAL LABOR RELATIONS BOARD)	
	)	No. 20-1589
Petitioner/Cross-Respondent)	
)	
v.)	
	)	Board Case Nos.
MAINE COAST REGIONAL HEALTH FACILITIES,	)	01-CA-209105
d/b/a MAINE COAST MEMORIAL HOSPITAL,	)	01-CA-212276
the sole member of which is EASTERN MAINE)	
HEALTHCARE SYSTEMS)	
)	
Respondent/Cross-Petitioner)	
)	

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that its motion contains 277 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word 2016.

Dated at Washington, D.C., this 17th day of September, 2020	<u>/s/ David Habenstreit</u> David Habenstreit Assistant General Counsel National Labor Relations Board 1015 Half Street, S.E. Washington, D.C. 20570 (202) 273-2960
--	--

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

)	
NATIONAL LABOR RELATIONS BOARD)	
	)	No. 20-1589
Petitioner/Cross-Respondent)	
)	
v.)	
	)	Board Case Nos.
MAINE COAST REGIONAL HEALTH FACILITIES,	)	01-CA-209105
d/b/a MAINE COAST MEMORIAL HOSPITAL,	)	01-CA-212276
the sole member of which is EASTERN MAINE)	
HEALTHCARE SYSTEMS)	
)	
Respondent/Cross-Petitioner)	
)	

CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2020, I filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the First 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.

Dated at Washington, D.C.,
this 17th day of September, 2020

/s/ David Habenstreit
David Habenstreit
Assistant General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570
(202) 273-2960