

**CASE BEING CONSIDERED FOR TREATMENT PURSUANT TO RULE
34(j) OF THE COURT'S RULES**

No. 20-1067

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

**RAED MCCRACKEN JARRAR,
Petitioner**

v.

**NATIONAL LABOR RELATIONS BOARD
Respondent**

**ON PETITION FOR REVIEW FROM THE NATIONAL LABOR
RELATIONS BOARD**

**BRIEF OF AMICUS CURIAE AMNESTY INTERNATIONAL OF THE USA,
INC., IN SUPPORT OF AFFIRMANCE**

**Frank C. Morris, Jr.
Email: fmorris@ebglaw.com
EPSTEIN BECKER & GREEN, P. C.**

**1227 25th Street, N.W., Suite 700
Washington, D.C. 20037
Phone: (202) 861-0900
Fax: 202-296-2882**

**Kay H. Hodge
Email: khodge@scmlp.com
STONEMAN, CHANDLER AND
MILLER, LLP
99 High Street
Boston, MA 02110
Phone: 617-542-57899
Fax: 617-340-8587**

**RULE 26.1 CORPORATE DISCLOSURE STATEMENT OF AMNESTY
INTERNATIONAL OF THE USA, INC.**

Pursuant to Fed. R. App. P. 26.1 and Circuit Rule 26.1, Amnesty International of the USA, Inc. (“Amnesty”), by counsel, states as follows:

1. Amnesty is a non-profit, non-governmental organization that works to fight injustice and protect human right in the United States and throughout the world.
2. Amnesty has no stock and has no parent company (although it is one of many country sections that make up Amnesty International). No publicly traded company owns any stock in Amnesty.

Respectfully submitted,

/s/ Frank C. Morris, Jr.
Frank C. Morris, Jr. (D.C. # 211482)
Epstein Becker & Green, P.C.
1227 25th Street, N.W., Suite 700
Washington, D.C. 20037
Phone: 202 861-0900
Fax: 202 296-2882
fmorris@ebglaw.com

Kay H. Hodge
Stoneman, Chandler and Miller, LP
99 High Street
Boston, MA 02110
Phone: 617-542-57899
Fax: 617-340-8587
Email: khodge@scmlp.com

Counsel for Amicus Curiae, Amnesty
International of the USA, Inc.

CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES

Pursuant to D.C. Circuit Rule 28(a)(1), counsel for Amnesty certifies the following:

A. Parties and Amici

All parties, intervenors and amici appearing before the National Labor Relations Board and in this court are listed in the Brief for the National Labor Relations Board

B. Rulings Under Review

References to the rulings at issue appear in the Brief for the National Labor Relations Board.

C. Related Cases

The case under review was not previously before this or any other court. Counsel is not aware of any related case pending or about to be presented in this or any other court.

Respectfully submitted,

/s/ Frank C. Morris, Jr.
Frank C. Morris, Jr. (D.C. # 211482)
Epstein Becker & Green, P.C.
1227 25th Street, N.W., Suite 700
Washington, D.C. 20037
Phone: 202 861-0900
Fax: 202 296-2882
fmorris@ebglaw.com

Kay H. Hodge
Stoneman, Chandler and Miller, LP
99 High Street
Boston, MA 02110
Phone: 617-542-57899
Fax: 617-340-8587
Email: khodge@scmlp.com

Counsel for Amicus Curiae, Amnesty
International of the USA, Inc.

Dated: October 13, 2020

TABLE OF CONTENTS

RULE 26.1 CORPORATE DISCLOSURE STATEMENT OF AMNESTY INTERNATIONAL OF THE USA, INC.	ii
CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES	iii
TABLE OF CONTENTS.....	v
TABLE OF AUTHORITIES	vi
I. STATEMENT OF IDENTITY, INTEREST AND AUTHORITY TO FILE	1
II. STATEMENT OF AUTHORSHIP	1
III. ARGUMENT	1
IV. CONCLUSION	2
CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATION, TYPEFACE REQUIREMENTS, AND TYPE STYLE REQUIREMENTS.....	3
CERTIFICATE OF SERVICE	4

TABLE OF AUTHORITIES

Page(s)

Cases

Amnesty International of the USA, Inc., 368 NLRB No. 112 (Nov. 12, 2019)1

Statutes

National Labor Relations Act, 29 U.S.C. §§ 151-169 1

Rules

Fed. R. App. P. 26(a)(4)(D)1

Fed. R. App. P. 29(a)(4)(E).....1

I. STATEMENT OF IDENTITY, INTEREST AND AUTHORITY TO FILE

Pursuant to the requirement of Fed. R. App. P. 26(a)(4)(D), Amicus Curiae Amnesty International of the USA, Inc. (“Amnesty”) states that it is a non-profit grassroots advocacy organization for human rights causes whose employees are covered by a collective bargaining agreement. *See* Joint Exhibits 5 and 6. Its interest in this case is as the Respondent in the underlying National Labor Relations Board (“NLRB”) proceeding, in which a three-member panel of the Board unanimously found that it had not violated the National Labor Relations Act, 29 U.S.C. §§ 151-169, and dismissed the Charge filed against it by Petitioner Raed Jarrar. *Amnesty International of the USA, Inc.*, 368 NLRB No. 112 (Nov. 12, 2019). The authority for Amnesty to file an amicus brief is this Court’s Order of July 8, 2020 and the subsequent briefing Orders of July 13, 2020 and September 24, 2020.

II. STATEMENT OF AUTHORSHIP

Pursuant to the requirement of Fed. R. App. P. 29(a)(4)(E), Amnesty states that (i) no party’s counsel authored this brief in whole or part; (ii) no party or party’s counsel contributed money that was intended to fund preparing or submitting the brief; and (iii) no person other than Amnesty, its members, or its counsel, contributed money that was intended to fund preparing or submitting the brief.

III. ARGUMENT

Amnesty has reviewed the brief filed by Respondent NLRB. It agrees with and

adopts the arguments presented by the NLRB in support of affirmance of the decision below. Amnesty therefore finds it unnecessary to offer further comment.

IV. CONCLUSION

For the reasons set forth above, in the brief of Respondent NLRB, and in the underlying decision of the NLRB, and based on the entire record, the NLRB properly found that Amnesty did not violate the National Labor Relations Act and dismissed the Charge filed against it by Petitioner Raed Jarrar. Accordingly, the decision of the NLRB should be affirmed in its entirety and judgment entered denying the petition for review.

Respectfully submitted

/s/ Frank C. Morris, Jr.

Frank C. Morris, Jr. (D.C. # 211482)
Epstein Becker & Green, P.C.
1227 25th Street, N.W., Suite 700
Washington, D.C. 20037
Phone: 202 861-0900
Fax: 202 296-2882
fmorris@ebglaw.com

Kay H. Hodge
Stoneman, Chandler and Miller, LP
99 High Street
Boston, MA 02110
Phone: 617-542-57899
Fax: 617-340-8587
Email: khodge@scmlp.com

Counsel for Amicus Curiae, Amnesty
International of the USA, Inc.

Dated: October 13, 2020

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATION,
TYPEFACE REQUIREMENTS, AND TYPE STYLE REQUIREMENTS**

1. This brief complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) because this brief contains 334 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(a)(7)(B)(iii) and Circuit Rule 32(a)(2).

2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and Circuit Rule 32(a)(1) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in proportionally spaced typeface using Microsoft Word 2016 in 14 point Times New Roman.

/s/ Frank C. Morris

Frank C. Morris

Attorney for Amicus Curiae, Amnesty
International of the USA, Inc.

Dated: October 13, 2020

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 13th day of October, 2020, a copy of the foregoing Brief of Amicus Curiae Amnesty International USA, Inc. was filed with the United States Court of Appeals for the District of Columbia via the Court's CM/ECF system, which in turn electronically served copies on all counsel of record for all parties.

/s/ Frank C. Morris

Frank C. Morris