

UNITED STATES COURT OF APPEALS

FOR THE

DISTRICT OF COLUMBIA

_____)	
)	
WENDT CORPORATION,)	
)	Case Number: 20-1319
)	NLRB-03CA212225
Petitioner,)	NLRB-03CA220998
)	NLRB-03CA223594
)	
And)	
)	
NATIONAL LABOR RELATIONS)	
BOARD,)	
)	
Respondent.)	
)	
_____)	

ORAL ARGUMENT NOT YET SCHEDULED

APPELLANT’S MOTION TO EXTEND BRIEFING SCHEDULE

Pursuant to D.C. Circuit Rules 27(h) and 28(e), Appellant, Wendt Corporation (“Wendt”) hereby moves to extend the time to file their brief, which is currently due on November 24, 2020. Counsel for Appellee, the National Labor Relations Board (“NLRB”) has advised undersigned counsel that Appellee does not object to this motion.

1. On October 15, 2020, the Court entered Its Order containing the briefing schedule for the instant action (“Scheduling Order”). Pursuant to the

Scheduling Order, Appellant's Brief is due on November 24, 2020, followed by the corresponding deadlines for Appellee's Brief, Appellant's Reply Brief, the Deferred Appendix and Final Briefs. Oral argument has not yet been scheduled.

2. Appellant is in need of a 45-day extension of time or until January 7, 2021 to complete and file Appellant's Brief for several compelling reasons. Ginger D. Schroder, Esq. is the lead counsel in this matter and her participation is critical to the preparation of Appellant's Brief. Ms. Schroder has a medical procedure scheduled during November which will require her to take time off to recover. In addition, she is the lead negotiator in connection with several collective bargaining agreements which are at critical stages in the negotiation process and also has several motions due in connection with pending litigation due before the end of the year. Finally, Ms. Schroder is also a member of the Cattaraugus County legislature which will be taking up several significant matters during the next several weeks that require her attendance at various meetings and hearings between now and the end of the year.

3. Oral Argument has not been scheduled and Appellant is seeking the requested relief now in order to ensure there is no conflict with the scheduling of the oral argument.

4. This is the first motion to extend the time to file a brief or pleading filed by Appellant. Appellant states that none of the parties will be prejudiced by the requested relief.

5. Pursuant to D.C. Circuit Rule 28(e)(2), this motion is being filed at least seven (7) days before the brief is due.

RELIEF REQUESTED

6. Based on the foregoing reasons, Appellant moves the Court to issue a revised briefing schedule to extend the date for Appellant to submit its opening brief until January 7, 2021.

CONCLUSION

For the foregoing reasons, the Court should grant Appellant's motion to extend the briefing schedule in this matter as set forth above.

Respectfully submitted,

By: /s/ Ginger D. Schroder, Esq.

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And

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CERTIFICATE OF SERVICE

I, Linda H. Joseph, Esq. hereby certify that on October 27, 2020, I electronically filed the forgoing **Motion to Extend Briefing Schedule** with the Clerk of the Court for the United States Court of Appeals for the District of Columbia using the appellate CM/ECF system. I also caused the forgoing Motion to Extend Briefing Schedule to be served by electronic mail upon the following:

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