

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 20-1979
v.	:	
	:	Board Case No.:
STERETT CRANE & RIGGING, LLC	:	25-CA-237121
	:	
Respondent	:	

UNOPPOSED MOTION TO DISMISS THE BOARD’S APPLICATION FOR
SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER OF
THE NATIONAL LABOR RELATIONS BOARD

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

Pursuant to Federal Rule of Appellate Procedure 42(b), the National Labor Relations Board (“the Board”), by its Assistant General Counsel, moves to dismiss without prejudice, the Board’s application for enforcement in the above-captioned case, and shows:

1. The Board’s application for summary entry of a judgment enforcing its order issued against Sterett Crane & Rigging, LLC in the above-captioned case was docketed on October 6, 2020, docket number 20-1979. An appearance by counsel for Respondent, J. Sale Gordon was docketed on October 23, 2020.

2. The Board has recently been informed by its regional office that the Company has resolved the outstanding issues involved in the above-captioned case and is complying with the Order to the Board’s satisfaction.

3. Accordingly, the Board seeks to withdraw its application for enforcement, without prejudice, each side to bear its own costs.

4. Counsel for Respondent, J. Sale Gordon, states that Respondent does not object to this motion to dismiss.

WHEREFORE, the Board moves that its application for enforcement be dismissed without prejudice, each side to bear its own costs.

/s/David Habenstreit

David Habenstreit
Assistant General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570

Dated in Washington, D.C.
this 2nd day of November 2020

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 20-1979
v.	:	
	:	Board Case No.:
STERETT CRANE & RIGGING, LLC	:	25-CA-237121
	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2020, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Sixth Circuit by using the appellate CM/ECF system. I further certify that the foregoing document was served on Counsel for Respondent, J. Sale Gordon, through the CM/ECF system.

/s/David Habenstreit
David Habenstreit
Assistant General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570

Dated in Washington, D.C.
this 2nd day of November 2020