

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

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|---|---|------------------------|
| DAVIDSON HOTEL COMPANY, LLC |) | |
| (CHICAGO MARRIOT AT MEDICAL DISTRICT/UIC) |) | |
| Petitioner/Cross-Respondent |) | Nos. 19-1235 & 19-1259 |
| |) | |
| v. |) | |
| |) | Board Case No. |
| NATIONAL LABOR RELATIONS BOARD |) | 13-CA-229523 |
| Respondent/Cross-Petitioner |) | |
| |) | |
| and |) | |
| |) | |
| UNITE HERE LOCAL 1 |) | |
| Intervenor |) | |

**MOTION OF THE NATIONAL LABOR RELATIONS BOARD
FOR A 30-DAY EXTENSION OF TIME FOR FILING A RESPONSE TO
THE INTERVENOR’S PETITION FOR REHEARING**

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

The National Labor Relations Board, by its Assistant General Counsel, respectfully moves this Court for a 30-day extension of time from December 30, 2020, to and including January 29, 2021, for filing a response to UNITE HERE Local 1’s (“the Union”) petition for rehearing in this case. In support of this motion, the Board shows as follows:

1. The Court issued a decision in this case on October 23, 2020, which is reported at 977 F.3d 1289.

2. The Union filed a petition for panel rehearing on December 7, 2020.
3. On December 15, 2020, the Court requested responses to the Union's petition by December 30, 2020.
4. Kellie Isbell, the Board attorney with primary responsibility for drafting the Board's response, will be on leave December 21-28, 2020. In addition to Ms. Isbell's other case-related responsibilities within the NLRB, she is responsible for arguing the Board's cause in *Trinity Services Group, Inc. v. NLRB* (D.C. Cir. Nos. 20-1014, 20-1055) on January 8, 2021. Usha Dheenani, the supervisory attorney on this case, will also be on leave December 21, 2020 through January 1, 2021.
5. Rich Treadwell, counsel for the Union, and Mark DeLaquil, counsel for Davidson, have informed Board counsel that they do not oppose this motion.

WHEREFORE, the Board respectfully requests that the Court grant this motion and extend the time for filing its response to the petition for rehearing to and including January 29, 2021.

Respectfully submitted,

/s/ David Habenstreit
Assistant General Counsel
National Labor Relations Board
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Dated at Washington, DC
this 16th day of December, 2020

