

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**ALTURA COMMUNICATION
SOLUTIONS, LLC,**

Petitioner,

and

Nos. 20-71522; 20-71705

**NATIONAL LABOR RELATIONS
BOARD,**

Respondent,

and

**INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS,
LOCAL 21,**

Intervenor.

**PETITIONER’S MOTION FOR EXTENSION OF TIME
TO SUBMIT REPLY BRIEF, AND INTEGRATED DECLARATION**

NOW COMES Petitioner, **ALTURA COMMUNICATION SOLUTIONS, LLC** (“Altura” or the “Petitioner”), by its undersigned attorneys and pursuant to Local Rule 31-2.2(b), hereby moves this Court for an extension of time until December 28, 2020, to submit its Reply Brief in Support of its Appeal (“Reply Brief”). In support of this motion, Petitioner states and the undersigned counsel declares, under penalty of perjury:

1. The current due date for Petitioner's Reply Brief is Monday, December 21, 2020. For the reasons stated below, Petitioner requests a one-week extension, until December 28, 2020, to file its Reply Brief.

2. On Friday afternoon, December 18, 2020, I learned of an unexpected medical emergency for Petitioner's counsel of record in this matter. Because of the seriousness of the medical emergency, it is not yet clear when Petitioner's counsel of record will be able to complete the Reply Brief.

3. Immediately, I appeared in this matter for the limited purpose of filing the instant motion. Dkt. #36. I also attempted to confer with counsels for Respondent and Intervenor regarding their position on this Motion for Extension of Time to Submit Reply Brief. I made attempts to confer by both by phone and email.

4. By email, I was able to confer with counsel for Intervenor. Intervenor does not oppose this motion.

5. However, I was unable to reach with Respondent's counsel, as it was after business hours in Respondent's counsels' time zone.

6. Due to the time-sensitive nature of the request, Petitioner files this motion prior to receiving Respondent's counsel response. Petitioner will promptly supplement if it later learns Respondent's position regarding the motion.

//

WHEREFORE, Petitioner respectfully requests that the Court grant its Motion, thereby extending the deadline to file its Reply Brief until December 28, 2020.

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, LLP

By: /s/ Kyle D. Nelson

Kyle D. Nelson, WSBA #49981

1201 Third Avenue, Suite 5150

Seattle, Washington 98101

Phone: 206.693.7059

Fax: 206.693.7058

kyle.nelson@ogletree.com

www.ogletree.com

Attorneys for Petitioner

Altura Communication Solutions, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of December, 2020, I electronically filed the foregoing Petitioner's Motion for Extension of Time to Submit Reply Brief, and Integrated Declaration with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the Appellate CM/ECF system, which served the same upon the parties of record:

Barry M. Bennett
George A. Luscombe III
Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich
8 South Michigan Avenue, Suite 1900
Chicago, IL 60603-3315
bbennett@laboradvocates.com
gluscombe@laboradvocates.com

David Habenstreit
Julie Brock Broido
Milakshmi V. Rajapakse
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570
appellatecourt@nlrb.gov
julie.broido@nlrb.gov
milakshmi.rajapakse@nlrb.gov

OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.

By: /s/ Cheryl L. Kelley
Cheryl L. Kelley, Practice Assistant
cheryl.kelley@ogletree.com

45342673.1