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January 14, 2021

Mr. Michael E. Gans, Clerk of Court
Thomas F. Eagleton Courthouse
111 South 10th Street
Room 24 329
St. Louis, MO 63102

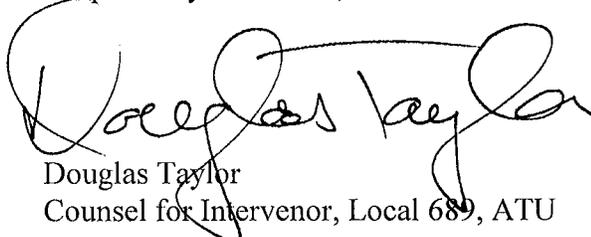
Re: Transdev Services, Inc. v. NLRB, Local 689, ATU,
Intervenor, Case Nos. 19-3750 and 20-1057,
Division III, Argued on January 13, 2021

Mr. Gans,

Under Rule 28(j), FRAP, we offer the attached determination by NLRB Regional Director in Fort Worth, Texas, pertaining to Road Supervisors in an elderly and handicapped service in Austin operated by a Company called "MTM." The decision is dated July 21, 2020, two months after the Petitioner's Reply was filed in this case, and was published by BNA/Bloomberg in 2021. Please forward to the members of the panel deciding this case, Judges Shepherd, Colloton and Wollman.

Regional Director Decisions and Directions of Election are not precedential in nature. However, counsel for the Petitioner stated in oral argument of the instant case that the Regional Director Decision was more sound than that of the National Labor Relations Board which overturned him because the Regional Director resolves questions of supervisory status "every day." Moreover, the facts presented in the attached case are extremely similar to those before this Court. Please note the section of the decision, pp. 6 and 7 headed "Coachings are not Discipline." As explained in the original Intervenor's brief, workplace correction, counseling, retraining and direction are commonplace events for Road Supervisors, who also report as the eyes and ears of supervision. Actual discipline, however, is not generally within the province of this long-standing occupation and historically (since the 1950's) Road Supervisors have usually been considered by the NLRB to be non-supervisory, within the meaning of the Act. (Intervenor's Brief, pp. 19-22)

Respectfully submitted,



Douglas Taylor
Counsel for Intervenor, Local 689, ATU

Certificate of Compliance

I hereby certify that this pleading complied with the type-volume limitation in Federal Rule of Appellate Procedure 32(a)(7)(B) and 28(j) because the pleading contains 288 words, excluding exempted parts. This pleading complies with the typeface and typestyle requirements of Federal Rule of Appellate Procedure 32(a)(5) and 32(a)(6) because it has been prepared in a proportionally typeface using WordPerfect X7 in Times New Roman 14 point.

/s/ Douglas Taylor

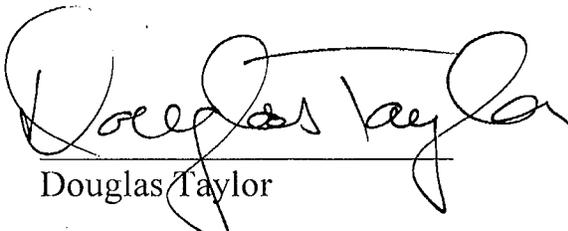
Certificate of Service

I hereby certify that a copy of the Intervenor 28(j) letter, with attachment, was was electronically via the ECF system this 14th day of January, 2021 to:

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