

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

Nos. 20-1123

ARYZTA LLC
Petitioner
v.

NATIONAL LABOR RELATIONS BOARD
Respondent

UNOPPOSED MOTION TO DISMISS

ARYZTA LLC and the National Labor Relations Board respectfully ask the Court to dismiss this case under Federal Rule of Appellate Procedure 42(b) due to settlement. In support, the parties state as follows:

1. ARYZTA petitioned the Court for review of a Board order issued April 13, 2020 (369 NLRB No. 55). On June 16, 2020, the Court granted the parties' joint motion to stay briefing in the case pending settlement.
2. The parties have reached an agreement to resolve this matter in lieu of further litigation.
3. Pursuant to their settlement agreement, the parties request that the Court dismiss ARYZTA's petition for review with prejudice.
4. Counsel for the Board has authorized ARYZTA to file this motion.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Petitioner certifies that this motion contains 345 words of proportionally spaced, 14-point type, and that the word processing system used was Microsoft Word.

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2021, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. I certify that the foregoing document will be served via the CM/ECF system on all parties or their counsel of record.

Dated: March 12, 2021

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By */s/ Jason W. Kearnaghan*

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