



United States Government

**NATIONAL LABOR RELATIONS BOARD**

**OFFICE OF THE GENERAL COUNSEL**

Washington, D.C. 20570

April 30, 2018

VIA CM/ECF

Molly C. Dwyer  
Clerk, U.S. Court of Appeals  
for the Ninth Circuit  
PO Box 193939  
San Francisco, CA 94119-3939

Re: *OUR Walmart v. NLRB*  
9th Cir. Nos. 16-72963, 16-73186, and 16-73279

Dear Ms. Dwyer:

On March 30, 2018, the Court granted the Board's unopposed motion to postpone oral argument in this case, which was previously scheduled for April 11. Since then, the parties have reached an agreement to settle this matter. The parties, however, require additional time to effectuate the settlement. The Board anticipates that it will file a motion to dismiss its application for enforcement and Walmart and OUR Walmart will file motions to dismiss their respective petitions for review within the next 90 days, assuming compliance with the parties' settlement agreement in the interim.

Very truly yours,

/s/Linda Dreeben

Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1015 Half Street, SE  
Washington, DC 20570  
(202) 273-2960

cc: all counsel (via CM/ECF)

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

|  |   |                     |
|--|---|---------------------|
| WAL-MART STORES, INC.                  | ) |                     |
|  | ) |                     |
| Petitioner/Cross-Respondent/Intervenor | ) |                     |
|  | ) |                     |
| v.                                     | ) |                     |
|  | ) |                     |
| NATIONAL LABOR RELATIONS BOARD         | ) | Nos. 16-72963,      |
|  | ) | 16-73186 & 16-73279 |
| Respondent/Cross-Petitioner            | ) |                     |
|  | ) |                     |
| and                                    | ) |                     |
|  | ) |                     |
| THE ORGANIZATION UNITED FOR            | ) |                     |
| RESPECT AT WALMART                     | ) |                     |
|  | ) |                     |
| Intervenor/Petitioner                  | ) |                     |

**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that the foregoing letter contains 92 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 2013.

/s/Linda Dreeben  
Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1015 Half Street, SE  
Washington, DC 20570  
(202) 273-2960

Dated at Washington, DC  
this 30th day of April 2018

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

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| WAL-MART STORES, INC.                  | ) |                     |
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| THE ORGANIZATION UNITED FOR            | ) |                     |
| RESPECT AT WALMART                     | ) |                     |
|  | ) |                     |
| Intervenor/Petitioner                  | ) |                     |

**CERTIFICATE OF SERVICE**

I hereby certify that on April 30, 2018, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I certify that the foregoing document was served on all those parties or their counsel of record through the CM/ECF system.

/s/Linda Dreeben  
Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1015 Half Street, SE  
Washington, DC 20570  
(202) 273-2960

Dated at Washington, DC  
this 30th day of April 2018