

**[ORAL ARGUMENT NOT YET SCHEDULED]**  
UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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	)	
NOEL CANNING, A DIVISION OF THE	)	
NOEL CORPORATION,	)	
Petitioner	)	
	)	
v.	)	No. 12-1115 & -1153
	)	
NATIONAL LABOR RELATIONS BOARD,	)	
Respondent	)	
	)	
	)	
	)	

**RESPONSE OF THE NATIONAL LABOR RELATIONS BOARD TO  
NOEL CANNING’S REQUEST FOR LEAVE TO FILE STATEMENT  
REGARDING THE INTERVENTION OF THE CHAMBER OF  
COMMERCE AND THE COALITION FOR A DEMOCRATIC  
WORKPLACE**

The National Labor Relations Board (the “Board”) does not oppose  
Petitioner Noel Canning’s motion for leave to file a statement regarding the  
pending motions to intervene of the Chamber of Commerce (the “Chamber”) and  
the Coalition for a Democratic Workplace (the “Coalition”).

The Board notes, however, that the statement proffered by Noel Canning  
fails to explain why intervention, as opposed to *amicus* participation, is warranted  
here. Noel Canning states that the constitutional issues it will raise are complex  
and that the participation of the Chamber and the Coalition will assist in the

presentation of those issues. To the extent that the Chamber and Coalition wish to present to the Court their own views regarding these constitutional issues, *amicus* participation provides an ample opportunity for them to do so. *See Rio Grande Pipeline Co. v. FERC*, 178 F.3d 533, 539 (D.C. Cir. 1999).

/s/ Linda Dreeben  
Linda Dreeben  
Deputy Associate General Counsel  
NATIONAL LABOR RELATIONS BOARD  
1099 14th Street, N.W.  
Washington, D.C. 20570

Dated at Washington, D.C.  
this 25th day of April 2012

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FOR THE DISTRICT OF COLUMBIA CIRCUIT

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CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2012, 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 the following counsel, who are registered users:

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/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

NATIONAL LABOR RELATIONS BOARD

1099 14th Street, N.W.

Washington, D.C. 20570

Dated at Washington, D.C.  
this 25th day of April 2012