

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

_____)	
NATIONAL LABOR RELATIONS BOARD,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 1:25-cv-01283-GTS-ML
STATE OF NEW YORK and)	
PUBLIC EMPLOYMENT RELATIONS)	
BOARD,)	
)	
Defendants.)	
_____)	

**NOTICE OF WITHDRAWAL OF PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION**

Please take notice that Plaintiff, the National Labor Relations Board, hereby withdraws Plaintiff's Motion for Preliminary Injunction (ECF No. 20) filed herewith on September 30, 2025.

On November 26, 2025, the Honorable Eric Komitee, United States District Judge for the Eastern District of New York, presiding over *Amazon.com Services LLC v. New York State Public Employment Relations Board*, issued a Memorandum & Order in that action, enjoining the Public Employment Relations Board (PERB), from enforcing S.8034A, 2025 Sess. Law News of N.Y. Ch. 365 (S. 8034-A) (codified at N.Y. Lab. Law § 715), the same law at issue in the above-captioned case. *Amazon.com Services LLC v. New York State Public Employment Relations Board, et al.*, No. 25-CV-5311(EK)(MMH), 2025 WL 3295071 (E.D.N.Y. Nov. 26, 2025). Specifically, the order states, "Defendants [PERB] are hereby enjoined from enforcing the SERA Amendment [S.8034A]." *Id.* at *6. PERB, as named in the Eastern District action, is also

named in the instant case. Accordingly, Defendant PERB is presently enjoined from enforcing S.8034A.

Defendants, in their opposition papers to Plaintiff's Motion for Preliminary Injunction, and citing *People of State of N.Y. by Abrams v. Seneci*, 817 F.2d 1015, 1017 (2d Cir. 1987), aver that there is currently no danger of irreparable harm to Plaintiff because Judge Komitee's order has already enjoined them. ECF No. 36 at 24.

Accordingly, because of Judge Komitee's order enjoining PERB from enforcing S.8034A and Defendants' statement that they are enjoined from enforcing S.8034A, Plaintiff has received substantially all preliminary relief sought in its Motion for Preliminary Injunction against Defendant PERB as the entity responsible for enforcing S.8034A, and thus withdraws the Motion. However, should it become necessary, Plaintiff will renew and refile its motion in this Court.

Respectfully submitted,

NATIONAL LABOR RELATIONS BOARD

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Dated this 3rd day of December, 2025
Washington, D.C.