

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BAKER DC, LLC, *et al.*,)
)
 Plaintiffs,)
)
 v.)
)
 NATIONAL LABOR)
 RELATIONS BOARD,)
)
 Defendant.)

Civil Action No. 15-0571 (ABJ)

CHAMBER OF COMMERCE)
 OF THE UNITED STATES)
 OF AMERICA, *et al.*,)
)
 Plaintiffs,)
)
 v.)
)
 NATIONAL LABOR)
 RELATIONS BOARD,)
)
 Defendant.)

Civil Action No. 15-0009 (ABJ)

ORDER

It is **ORDERED** that *Baker DC, LLC v. NLRB*, No. 15-0571 (ABJ), is consolidated with *Chamber of Commerce v. NLRB*, No. 15-0009 (ABJ).

It is **FURTHER ORDERED** that: the Clerk’s Office shall close *Baker DC, LLC v. NLRB*, No. 15-0571 (ABJ), and transfer plaintiffs Baker DC, LLC, Shannon W. Cotton, Michael A. Murphy, and Jorge E. Gonzalez Villareal (“the Baker plaintiffs”) to *Chamber of Commerce v. NLRB*, No. 15-0009 (ABJ); all future filings with this Court shall be filed only in *Chamber of Commerce v. NLRB*, No. 15-0009 (ABJ); and once the cases are consolidated, the dispositive

motions filed in *Chamber of Commerce v. NLRB*, No. 15-0009 (ABJ), will be deemed to apply to *Baker DC, LLC v. NLRB*, No. 15-0571 (ABJ), as well.

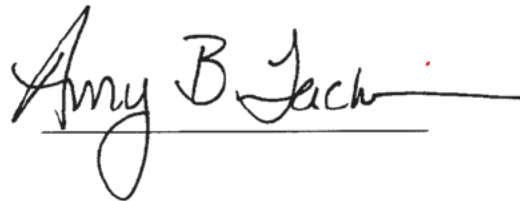
It is **FURTHER ORDERED** that the motion filed by the Chamber of Commerce, the Coalition for a Democratic Workplace, the National Association of Manufacturers, the National Retail Federation, and the Society for Human Resource Management for leave to file a brief of *amici curiae* [Dkt. # 20] in *Baker DC, LLC v. NLRB*, No. 15-0571 (ABJ), is **DENIED** as moot. Each of the parties has already been heard on the merits in *Chamber of Commerce v. NLRB*, No. 15-0009 (AJB). *See* Pls.' Mot. for Summ. J. [Dkt. # 17]; Pls.' Mem. in Opp. to Def.'s Partial Mot. to Dismiss & Cross-Mot. for Summ. J. & in Further Supp. of Pls.' Mot. for Summ. J. [Dkt. # 25]. And it is not clear whether these plaintiffs had much to offer the Court on the question of the need for extraordinary injunctive relief because in their own action, which has been pending for nearly four months, they did not assert that irreparable harm could ensue and they failed to move for a temporary restraining order or a preliminary injunction that could have triggered an expedited schedule at any point.

It is **FURTHER ORDERED** that the Baker plaintiffs shall have until May 1, 2015 to file their own pleading, not to exceed fifteen pages, in opposition to the Board's motion [Dkt. # 22] in *Chamber of Commerce v. NLRB*, No. 15-0009 (ABJ), and in support of their own cross-motion. The Baker plaintiffs may advance arguments not advanced by the Chamber of Commerce plaintiffs and supplement the points and authorities provided by the Chamber of Commerce plaintiffs if the Baker plaintiffs choose to emphasize different aspects of the Final Rule, but they may not repeat any arguments already presented in those pleadings.

It is **FURTHER ORDERED** that the Board shall have until May 8, 2015 to file a reply, not to exceed ten pages, in order to respond to any new arguments raised in the Baker plaintiffs' filing, without repeating any arguments already presented in its earlier filings in either action.

It is **FURTHER ORDERED** that a hearing on the parties' motions will be held at 10:00 a.m. on May 15, 2015, in Courtroom 3.

SO ORDERED.

A handwritten signature in black ink that reads "Amy B. Jackson". The signature is written in a cursive style with a horizontal line underneath the name.

AMY BERMAN JACKSON
United States District Judge

DATE: April 22, 2015