

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

BROWNING-FERRIS INDUSTRIES OF )  
CALIFORNIA, INC. D/B/A BFI NEWBY )  
ISLAND RECYCLING )

Petitioner/Cross-Respondent )

v. )

Nos. 16-1028, 16-1063,  
16-1064

NATIONAL LABOR RELATIONS BOARD )

Respondent/Cross-Petitioner )

and )

**Argued on March 9, 2017**

TEAMSTERS LOCAL 350 )

Intervenor )

\_\_\_\_\_ )

**MOTION OF THE NATIONAL**





*Steel Inst. v. EPA*, 560 F.2d 589, 599 (3d Cir. 1977) (where court's decision did not

“

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

BROWNING-FERRIS INDUSTRIES OF	)	
CALIFORNIA, INC. D/B/A BFI NEWBY	)	
ISLAND RECYCLING	)	
	)	
Petitioner/Cross-Respondent	)	
	)	
v.	)	Nos. 16-1028, 16-1063,
	)	16-1064
NATIONAL LABOR RELATIONS BOARD	)	
	)	
Respondent/Cross-Petitioner	)	
	)	
and	)	
	)	
TEAMSTERS LOCAL 350	)	
	)	
Intervenor	)	
_____	)	

**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 27(d)(2), the Board certifies that this motion contains 712 words of proportionally spaced, 14-point type, and the word-processing system used was Microsoft Word 2010.

s/Linda Dreeben

Linda Dreeben  
Deputy Associate General Counsel  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001  
(202) 273-2960

Dated at Washington, DC  
this 1st day of March 2018

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

BROWNING-FERRIS INDUSTRIES OF	)	
CALIFORNIA, INC. D/B/A BFI NEWBY	)	
ISLAND RECYCLING	)	
	)	
Petitioner/Cross-Respondent	)	
	)	
v.	)	Nos. 16-1028, 16-1063,
	)	16-1064
NATIONAL LABOR RELATIONS BOARD	)	
	)	
Respondent/Cross-Petitioner	)	
	)	

FPR-II, LLC d/b/a Leadpoint Business Services  
Attn: Vincent Haas, Supervisor  
1601 Dixon Landing Road  
Milpitas, CA 95035

/s/Linda Dreeben  
Linda Dreeben  
Deputy Associate

