

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION OF	)	Case No. 1:11-cv-01629-ABJ
MANUFACTURERS, <i>et al.</i> ,	)	
	)	Judge Amy Berman Jackson
Plaintiffs,	)	
	)	
v.	)	
	)	
NATIONAL LABOR RELATIONS	)	
BOARD, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**MOTION FOR INJUNCTION PENDING APPEAL**

Plaintiffs hereby move for an injunction pending appeal pursuant to F.R.Civ.P. 62(c). As grounds for this appeal, Plaintiffs state as follows:

1. Plaintiffs have filed a Notice of Appeal from those portions of the Court's final orders that will, absent the requested injunction, allow the challenged Notice Posting Rule to go into effect on April 30, 2012. Plaintiffs are in the process of moving for expedited consideration of their appeal at the Court of Appeals. Pursuant to the Federal Appellate Rules, however, Plaintiffs are required to seek an injunction pending appeal from this Court prior to seeking such relief from the appellate court. *See* F.R.App.P. 8.
2. As more fully set forth in the attached Memorandum of Points and Authorities, the four-part test for granting an injunction pending appeal in this Circuit supports granting the requested injunction.

3. Pursuant to Local Rule 7, counsel for Plaintiffs has notified counsel for Defendants of this Motion. Counsel for Defendants has not consented to it.

Respectfully submitted,

/s/ Glenn M. Taubman

Glenn M. Taubman, Esq.  
(D.C. Bar No. 384079)  
William L. Messenger, Esq.  
c/o National Right to Work Legal  
Defense and Education Foundation, Inc.  
8001 Braddock Road, Suite 600  
Springfield, VA 22160  
Tel: (703) 321-8510  
E-mails: gmt@nrtw.org  
wlm@nrtw.org

*Attorneys for National Right to Work  
Legal Defense and Education  
Foundation, Inc.*

/s/ H. Christopher Bartolomucci

H. Christopher Bartolomucci  
(D.C. Bar No. 453423)  
Bancroft PLLC  
1919 M Street, N.W.  
Suite 470  
Washington, D.C. 20036  
Phone: (202) 234-0090  
Fax: (202) 234-2806  
cbartolomucci@bancroftpllc.com  
*Attorney for National Federation of  
Independent Business, Southeast Sealing,  
Inc., and Racquetball Centers, Inc. d/b/a  
Lehigh Valley Racquet & 24-7 Fitness  
Clubs*

/s/ Peter N. Kirsanow

Peter N. Kirsanow (*Pro Hac Vice*)  
Benesch Friedlander Coplan & Aronoff LLP  
200 Public Square, Suite 2300  
Cleveland, Ohio 44114-2378  
Tel.: 216-363-4500  
Fax: 216-363-4588  
E-mails: pkirsanow@beneschlaw.com

*Attorneys for National Association of  
Manufacturers*

/s/ Maurice Baskin

Maurice Baskin (D.C. Bar No. 248898)  
Venable LLP  
575 7th St., N.W.  
Washington, D.C. 20004  
Tel: 202-344-4823  
Fax: 202-344-8300  
E-mail: mbaskin@venable.com

*Attorneys for the Coalition for a Democratic  
Workplace*