

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

NESTLÉ DREYER'S ICE CREAM CO.

Petitioner/Cross-Respondent

v.

Nos. 12-1684, 12-1783

NATIONAL LABOR RELATIONS BOARD

Respondent/Cross-Petitioner

**PETITIONER/CROSS-RESPONDENT NESTLÉ DREYER'S ICE CREAM
CO'S RESPONSE TO RESPONDENT/CROSS-PETITIONER NATIONAL
LABOR RELATIONS BOARD'S MOTION TO VACATE BOARD
DECISION AND REMAND CASE FOR FURTHER PROCEEDINGS**

Following the Supreme Court's decision in *NLRB v. Noel Canning*,

Respondent/Cross-Petitioner National Labor Relations Board ("the Board") has moved this Court for an order vacating the Board's decision and remanding the case to the Board for further proceedings. Petitioner/Cross-Respondent Nestle Dreyer's Ice Cream Co. ("Dreyer's") does not oppose this Motion.

Dated: July 9, 2014.

s/ Ryan N. Parsons

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CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2014, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system. I hereby certify that the foregoing document was served on all counsel of record who have filed an appearance in the case using the CM/ECF system.

Dated: July 9, 2014.

s/ Ryan N. Parsons

Ryan N. Parsons