

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: NATIONAL LABOR RELATIONS BOARD; CEMEX  
CONSTRUCTION MATERIALS PACIFIC, LLC;  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, 372  
NLRB NO. 130, DECISION AND ORDER DATED ON AUGUST  
25, 2023

MCP No. 173

(SEE ATTACHED SCHEDULE)

CONSOLIDATION ORDER

The National Labor Relations Board issued a decision and order dated August 25, 2023. On September 11, 2023 the Panel received, pursuant to 28 U.S.C. § 2112(a)(3), a notice of multicircuit petitions for review of that order. The notice included petitions for review pending in two circuit courts of appeal as follows: District of Columbia Circuit Court, Ninth Circuit Court.

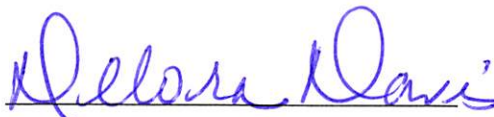
The Panel has randomly selected the United States Court of Appeals for the Ninth Circuit Court in which to consolidate these petitions for review.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 2112(a)(3), the petitions on the attached schedule are consolidated in the United States Court of Appeals for the Ninth Circuit Court, and that this circuit is designated as the circuit in which the record is to be filed pursuant to Rules 16 and 17 of the Federal Rules of Appellate Procedure.

FOR THE PANEL:



Chelsea Thomas, Case Administrator  
Random Selector



Delora Davis, Operations Supervisor  
Witness

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**SCHEDULE OF PETITIONS**

**CIRCUIT NO.**

**CASE CAPTION**

D.C. Circuit, No. 23-1232

Cemex Construction Materials Pacific, LLC v.  
National Labor Relations Board

Ninth Circuit, No. 23-2081

International Brotherhood of Teamsters v.  
National Labor Relations Board