

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

NATIONAL LABOR)	
RELATIONS BOARD,)	
)	
Petitioner,)	
)	
v.)	No. 14-2239
)	
LITTLE RIVER BAND OF)	
OTTAWA INDIANS TRIBAL)	
GOVERNMENT,)	
)	
Respondent.)	
_____)	

MOTION FOR SUPPLEMENTAL BRIEFING

Respondent Little River Band of Ottawa Indians Tribal Government respectfully requests that the Court of Appeals invite the parties to submit supplemental briefs in the event the Court grants Respondent's Petition for Rehearing En Banc.

Supplemental briefing would be particularly helpful in this case. The merits briefs in this appeal were filed in 2013 in Case Nos. 13-1464 and 13-1583. Since then, various courts have issued decisions that directly impact the matters at issue here, including *King v. Burwell*, 135 S. Ct. 2480 (2015), *Michigan v. Bay Mills Indian Community*, 134 S. Ct. 2024 (2014), *Soaring Eagle Casino & Resort v. NLRB*, 791 F.3d 648 (6th Cir. 2015), and *Chickasaw Nation*, 362 NLRB No. 109 (2015), among others. In addition, the majority and dissenting opinions addressed

issues which received little attention in the parties' briefs and that were never addressed in the Board's decision, including the relevance of certain tribal sovereignty principles summarized in *Montana v. United States*, 450 U.S. 544, 557 (1981), and subsequent related cases. For these and other reasons, supplemental briefing will assist the Court of Appeals in resolving the issues presented in this appeal.

For the foregoing reasons, Respondent respectfully requests that supplemental briefing be ordered in the event this matter is reheard en banc.

Dated this 24th day of August 2015.

SONOSKY, CHAMBERS, SACHSE,
ENDRESON & PERRY, LLP
Counsel for Respondent

s/ Lloyd B. Miller

By: _____
Lloyd B. Miller

1425 K Street, N.W., Suite 600
Washington, D.C. 20005
(202) 682-0240
F: (202) 682-0249
lloyd@sonosky.net

CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2015, a copy of the foregoing Motion for Supplemental Briefing was served electronically on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record.

s/ Lloyd B. Miller