

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

_____)	
NATIONAL LABOR RELATIONS BOARD,)	
)	
Plaintiff,)	
)	Civil Action No. 1:25-cv-01283-GTS-ML
v.)	
)	
STATE OF NEW YORK and)	ORDER
PUBLIC EMPLOYMENT RELATIONS)	
BOARD,)	
)	
Defendants.)	
_____)	

Upon consideration of the stipulation submitted by the parties regarding Plaintiff's motion for a preliminary injunction, and for good cause shown, it is hereby ORDERED that:

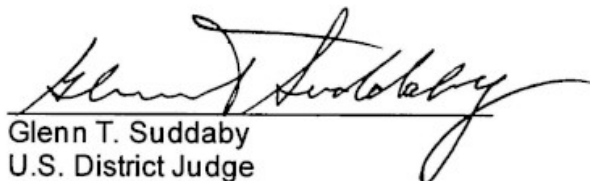
1. The Public Employment Relations Board (PERB) shall hold in abeyance any matters filed by private sector employees, employers, or labor unions that may implicate the National Labor Relations Board's (NLRB) jurisdiction until a decision is rendered by this Court on the NLRB's preliminary injunction motion.
2. PERB shall issue a form letter to:
 - a. Any private sector employee or labor union who files an unfair labor practice charge that may be subject to the National Labor Relations Act (NLRA). This letter will inform the filer that PERB will hold the charge in abeyance pending the outcome of the preliminary injunction motion in this litigation; and
 - b. Any private sector employee, employer, or labor union who files a representation petition that may be subject to the NLRA. This letter will inform the filer that

PERB will hold the petition in abeyance pending the outcome of the preliminary injunction motion in this litigation.

3. The following briefing schedule is confirmed:
 - a. The NLRB shall file its motion for a preliminary injunction by September 30, 2025, provided the court approves the pre-motion stipulation and order;
 - b. Defendants' opposition papers shall be due 60 days after the NLRB files its preliminary injunction motion;
 - c. The NLRB's reply shall be due 10 days after Defendants' opposition papers are filed.
4. The deadline for Defendants to file an answer or any motion under Federal Rule of Civil Procedure 12 is stayed until 21 days after the resolution of the preliminary injunction motion.
5. The Court will set a date for oral argument on the motions as soon as practicable once briefing is complete.

IT IS SO ORDERED.

Dated: September 26, 2025


Glenn T. Suddaby
U.S. District Judge