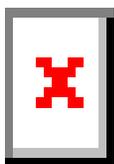


Vito Gagliardi, Jr. Weighs In On High Court's Recess Appointment Ruling

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Law360, New York (June 26, 2014, 7:49 PM ET) -- The U.S. Supreme Court on Thursday struck down President Barack Obama's three recess appointments to the National Labor Relations Board, but took a broad view of the president's appointment power. Here, attorneys tell Law360 why the decision in *National Labor Relations Board v. Noel Canning* is significant.

Vito A. Gagliardi Jr.



"While the Supreme Court decision in the *Noel Canning* is significant in its precedent-setting definition of the scope of the president's recess powers, its impact on the parties whose cases were decided by the recess-appointees likely is limited. The NLRB now is staffed by members whose appointment is not in question, and I would expect the NLRB simply to vote to ratify the decisions made by the board previously with the recess-appointee majority. Some of the affected litigants may use this development as an opportunity to have their case reconsidered, but there is no evidence so far that such a move will be considered by the NLRB."

Click here to read more: <http://www.law360.com/articles/552139/lawyers-weigh-in-on-high-court-s-recess-appointment-ruling>