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February 21, 2013

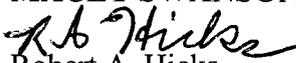
Gary Shinnars, Acting Executive Secretary
Farah Qureshi, Associate Executive Secretary
National Labor Relations Board
1099 14th Street, NW
Washington, D.C. 20570-0001

Re: Silgan Plastics Corporation, Case Nos. 25-CA-031870, et al.

Dear Acting Executive Secretary Shinnars/Associate Executive Secretary Qureshi:

On February 8, 2013, the Respondent/Charged Party Silgan Plastics Corporation (“Silgan”) submitted correspondence pursuant to the previous holding of the National Labor Relations Board (“Board”) in *Reliant Energy*, 339 NLRB 66 (2003) to advise the Board of the decision of the United States Court of Appeals for the District of Columbia in *Noel Canning Div. of Noel Corp. v. NLRB*, 194 L.R.R.M. 3089 (D.C. Cir. Jan. 25, 2013). In *Noel Canning*, the D.C. Circuit Court of Appeals held that the Board lacks a quorum because three (3) of its members have not been properly appointed. Silgan contends that *Noel Canning* is significant authority because it concerns the Board’s alleged invalid quorum and must be applied to Silgan’s entire Brief in Support of Exceptions.

The Petitioners/Charging Parties United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial, and Service Workers International Union, AFL-CIO-CLC and Local 822 maintain that the decision in *Noel Canning* has no bearing on this matter because the Board has a valid quorum and can operate accordingly by reviewing the previously submitted briefs and issuing a decision.

Sincerely,
MACEY SWANSON AND ALLMAN

Robert A. Hicks
Attorney for the Petitioners/Charging Parties

RAH:hs
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cc: Raymond Deeny
Karla Sanchez
Kim Sorg-Graves

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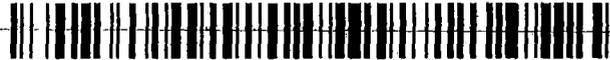
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