

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES
SAN FRANCISCO BRANCH OFFICE**

WHOLE FOODS MARKETS, INC.

and

**SAVANNAH LYNN KINZER, SUVERINO FRITH,
LEE A MARY KELLY, ANA BELEN DEL RIO-
RAMIREZ, CAMILLE TUCKER-TOLBERT,
TRUMAN READ, ABDULAI BARRY, HALEY
ASHLEY EVANS, CASSIDY VISCO, JUSTINE
O'NEILL, SARITA WILSON, LYLAH
MARCELLA STYLES, YURI LONDON,
SHANNON LISS-RIORDAN, ESQ.,
CHRISTOPHER MICHNO, SAVANNAH
KINZER, KIRBY BURT AND KAYLEB RAE
CANDRILLI, as Individuals**

**Cases 01-CA-263079; 01-CA-263108;
01-CA-264917; 01-CA-265183;
01-CA-266440; 01-CA-273840;
04-CA-262738; 04-CA-263142;
04-CA-264240; 04-CA-264841;
05-CA-264906; 05-CA-266403;
10-CA-264875; 19-CA-263263;
20-CA-264834; 25-CA-264904;
32-CA-263226; 32-CA-266442**

ORDER DIRECTING THE PARTIES TO FILE SUPPLEMENTAL BRIEFS

On August 2, 2023, the Board issued its decision in *Stericycle, Inc.*, 372 NLRB No. 113 (2023), which overruled *Boeing Co.*, 365 NLRB No. 154 (2017) and its progeny, and established a revised analytical framework in cases involving Employer rules and their potential impact on employee protected activity. In light of this ruling, I direct the parties to submit supplemental briefs discussing how this ruling impacts the issues in the present case. Additionally, on June 30, 2023, the Supreme Court issued its ruling in *303 Creative LLC v. Elenis*, No. 21—476 (U.S. June 30, 2023), which may impact Respondent's First Amendment rights regarding what is wishes to communicate or convey on its uniforms or through its dress policy. Accordingly, the parties are also directed to address this issue in their supplemental briefs.

The briefs should be submitted by close of business August 21, 2023, and should be limited to no more than 15 pages.

SO ORDERED.

Dated at Oakland, California, this 7th day of August 2023



Ariel L. Sotolongo
Administrative Law Judge.

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of August 2023, I caused copies of the foregoing document entitled, **ORDER DIRECTING THE PARTIES TO FILE SUPPLEMENTAL BRIEFS**, to be delivered by electronic mail upon the following:

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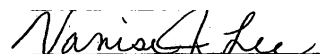
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