

Challenges To NLRB Recess Appointments Mounting

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A New York landlord has challenged a petition by the NLRB to enjoin a lockout of workers at a Brooklyn apartment complex, raising questions over the propriety of President Obama's recess appointments . *Paulsen v. Renaissance Equity Holdings, LLC* (Case No. 12-CV-350).

In its pleadings, the defendant argues that congress was not in recess at the time of the appointments, and, therefore, the President's appointments to the Board were not lawful recess appointments. Judge Brian Cogan of the U.S. District Court, Eastern District of New York, has yet to rule on the motion to dismiss, which he heard on March 1, 2012. As reported by *Bloomberg* , a similar argument has been raised in at least two other cases in recent weeks.

The Bloomberg article can be accessed by [clicking here](#).

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