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January 17, 2019

**VIA ELECTRONIC FILING AND UPS OVERNIGHT**

Clerk of the Court  
United States Supreme Court  
1 First Street, N.E.  
Washington, DC 20543

**Re: Nu Image, Inc., a California corporation v. International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO, CLC, Case No. 15-580**

Dear Clerk:

The undersigned represents the Respondent. The purpose of this letter is to bring to the Court's attention a case which bears on the Petition for Writ of Certiorari pending before this Court.

On January 9, the Court issued its decision in *Henry Schein, Inc. v. Archer & White Sales, Inc.*, No. 17-272. This was issued the day after the Petitioner filed its Reply in Support of Petition for Writ of Certiorari. The Respondent filed its Brief in Opposition to the Petition for Writ of Certiorari on December 26.

Respondent has pointed out that there is a pending arbitration demand by Petitioner Nu Image covering the same dispute which it is litigating. See Brief in Opposition p. 21-22. Respondent has replied to that contention. See Reply p. 11 which was filed the day before this Court issued *Henry Schein*.

The Court's decision in *Henry Schein* relates to the Respondent's position that since the parties have agreed to arbitration, this Court should not intercede and grant the Petition.

Sincerely,

/s/ David A. Rosenfeld

David A. Rosenfeld  
Counsel of Record for the Respondent

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cc: Certificate of Service

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