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Murphy Oil Case Scheduled for Oral Argument

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In January, the United States Supreme Court [granted certiorari](#) in *National Labor Relations Board v. Murphy Oil USA*, Case No. 16-307, *Epic Systems Corp. v. Lewis*, Case No. 16-285 and *Ernst & Young LLP v. Morris*, Case No. 16-300, consolidating them for argument. The U.S. Supreme Court is expected to resolve the circuit split over whether an arbitration agreement that requires an employee to waive his or her right to bring or participate in a class action violates the National Labor Relations Act. The Court's decision will have major implications on class and collective actions going forward.

We recently posted that the [Department of Justice \(DOJ\) filed an *amicus curiae* brief in support of the employers](#), taking a position opposed to the NLRB.

The consolidated cases were just scheduled for oral argument before the Supreme Court on October 2, 2017. Although DOJ already filed its brief, the NLRB has not. We will continue to monitor for the Board's filing.

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