

# Blythe Lovinger and Alex Seidenberg Featured in Law360 on Presidential Removal Power and the NLRB

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April 4, 2025

In a closely watched legal battle with potentially sweeping implications for the scope of presidential authority, Kelley Drye's [Blythe Lovinger](#) and [Alex Seidenberg](#) co-authored an article published by *Law360* analyzing the unprecedented removal of National Labor Relations Board (NLRB) member Gwynne Wilcox by President Trump.

The article, "NLRB Firing May Need Justices' Input On Removal Power," dives into the constitutional and statutory questions raised by Wilcox's termination and the subsequent legal fallout. The authors detail Wilcox's lawsuit challenging her removal, the district court's decision reinstating her to the board, and the D.C. Circuit's reversal that again left the board without a quorum.

Lovinger and Seidenberg's analysis explains how this case may serve as a vehicle for the U.S. Supreme Court to revisit the 1935 decision *Humphrey's Executor v. United States*, a foundational precedent limiting the president's authority to remove members of independent federal agencies. They also discuss the broader implications for federal labor policy under the Trump administration, including the rollback of Biden-era priorities by the new acting general counsel.

Their timely and thoughtful piece is essential reading for anyone tracking the evolving balance of powers between Congress and the Executive Branch — particularly as it impacts the labor and employment landscape.

To read the full article, please [click here](#).