

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

**EAST VILLAGE GRAND SICHUAN INC. D/B/A
GRAND SICHUAN RESTAURANT**

And

Case No. 02-CA-143468

CHINESE STAFF & WORKERS ASSOCIATION

**COUNSEL FOR THE GENERAL COUNSEL'S
LIMITED CROSS EXCEPTIONS
TO THE ADMINISTRATIVE LAW JUDGE'S DECISION**

Dated at New York, New York
This 8th Day of April 2016.

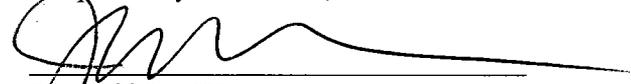
Joane Si Ian Wong
Counsel for General Counsel
National Labor Relations Board
Region 2
26 Federal Plaza, Room 3614
New York, New York 10278
Telephone: 212.264.0300
Email: joane.wong@nlrb.gov

Counsel for the General Counsel, pursuant to Section 102.46(e) of the National Labor Relations Board's Rules and Regulations, submit the following cross exceptions to Administrative Law Judge Steven Davis' Decision dated January 14, 2016.

1. The ALJ mistakenly stated that the hearing commenced on Sunday, November 8, 2015, when the hearing actually commenced on Monday, November 9, 2015. (ALJD page 1)¹
2. The ALJ incorrectly spelled discriminatee Fang Xiao's name throughout the decision. It should be corrected from "Xaio" to "Xiao." The spelling of Fang Xiao's name has been stipulated to and has been entered into the record as the "Name Chart" in GC Exhibit 11. (ALJD and GC Exh. 11)
3. The ALJ incorrectly stated in the Facts that Xiao worked in a different restaurant after she returned from China in March 2012. Rather, the undisputed record evidence showed that after Xiao returned from China in March 2012, she worked for the Respondent for about one week before she left New York to work at a friend's restaurant. (ALJD 2:43-45; Tr. 67-68)
4. The ALJ inadvertently stated in its Analysis that Manager Wang visited Fang Xiao at her home in June 2014 and called Xiao after she was injured by her co-worker, even though the ALJ correctly recited in the Facts that it was owner Xiao Tu Zhang who visited Xiao Fang. (ALJD 4:19-29; ALJD 9:6-11; Tr. 87-93)
5. The ALJ's remedial order should be modified pursuant to *AdvoSeve of New Jersey, Inc.*, 363 NLRB No. 143 (2016), so that the SSA reports should be completed and sent directly to the Region.
6. The ALJ failed and refused to address General Counsel's argument that discriminatees should be awarded search-for-work and work-related expenses regardless of whether these amounts exceed interims earnings. (ALJD 11:10-12)

Dated at New York, New York
April 8, 2016

Respectfully submitted,



Joane Si Ian Wong
Counsel for General Counsel
National Labor Relations Board, Region 2
26 Federal Plaza, Room 3614
New York, New York 10278
Telephone: 212.264.0300
Email: joane.wong@nlrb.gov

¹ The Administrative Law Judge's Decision will be referenced as "ALJD page(s): line(s)." The hearing transcript will be referenced as "Tr. ____." General Counsel's and Respondent's exhibits will be referenced as "GC Exh. ____" and as "R Exh. ____", respectively.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

**EAST VILLAGE GRAND SICHUAN INC. D/B/A
GRAND SICHUAN RESTAURANT**

And

Case 02-CA-143468

CHINESE STAFF & WORKERS ASSOCIATION

AFFIDAVIT OF SERVICE

I, the undersigned, certify that the *Counsel for General Counsel's Limited Cross Exceptions to the ALJD, Brief in Support of Limited Cross Exceptions to the ALJD, and Answering Brief to Respondent's Exceptions to the ALJD* were served on the parties on Friday, April 08, 2016, as follows:

By E-filing

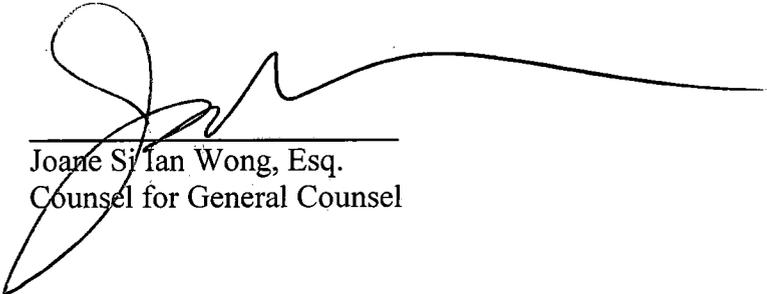
Gary Shinnars, Executive Secretary
Office of the Executive Secretary
National Labor Relations Board
1015 Half Street, SE
Washington D.C., 20570-0001

By Email to gearonlaw@aol.com

Thomas D. Gearon, Esq.
The Law Office of Thomas D. Gearon, P.C.
136-20 38th Avenue, Suite 9-I
Flushing, NY 11354
Tel: (718) 395-8628
Fax: (718) 395-8629

By Email to mem@memcintyre.com

Margaret McIntyre
Attorney at Law
299 Broadway, Suite 1310
New York, New York 10007
Tel: (212) 227-9987
Fax: (917) 809-6704



Joane Si Ian Wong, Esq.
Counsel for General Counsel