

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES**

**MID-ATLANTIC RESTAURANT
GROUP LLC d/b/a KELLY'S TAPROOM**

and

Case 04-CA-162385

ROBIN C. HELMS

GENERAL COUNSEL'S MOTION TO CORRECT THE TRANSCRIPT

Pursuant to Section 102.24(a) of the Board's Rules and Regulations, the General Counsel moves to correct the transcript in the above-captioned case in the following manner. Starting at page 10, line 15 of the transcript and continuing through page 13, line 5, Kelly's Taproom ("Respondent") stipulated to the quarters for which Respondent claimed discriminatee Robin Helms willfully lost earnings (or, as this affirmative defense is sometimes described, for which Helms failed to mitigate damages). In this section, the transcript inverts Counsel for the General Counsel Mark Kaltenbach and Respondent's attorney Nathan Schadler. In other words, it lists Mr. Kaltenbach as speaking when in reality Mr. Schadler was, and Mr. Schadler as speaking when in reality Mr. Kaltenbach was. The General Counsel therefore moves to correct the transcript accordingly.

Thus, the General Counsel moves that the word "Kaltenbach" be replaced with the word "Schadler" at: page 11, lines 2, 5, 7, and 15; page 12, lines 2, 4, 9, 13, and 15; and page 13, line 1.

The General Counsel further moves that the word "Schadler" be replaced with the word "Kaltenbach" at: page 12, lines 8, 12, and 14.

The General Counsel sought Respondent's position on this matter but has not yet received

a response.

/s/ Mark Kaltenbach
Counsel for the General Counsel
National Labor Relations Board
Region 4
100 E. Penn Square, Suite 403
Philadelphia, PA 19107

Dated: December 3, 2018