

**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
REGION 7**

**UNITED FOOD & COMMERCIAL
WORKERS INTERNATIONAL UNION**

Union,

vs.

BOAR'S HEAD PROVISIONS CO., INC.,

Employer.

Case No. 07-CA-209874

07-CA-212031

UNOPPOSED MOTION FOR CORRECTIONS TO TRANSCRIPT

NOW COMES Boar's Head Provisions Co., Inc. (Boar's Head), by its attorney, Rick Alaniz, and pursuant to §101.12 and §102.35 of the Rules and Regulations of the National Labor Relations Board ("NLRB") and NLRB Division of Judges Benchbook §12-700, respectfully requests that the following transcription errors be corrected.

Boar's Head files this motion to ensure both significant and insignificant errors are corrected, as "the judge should not unilaterally correct the transcript except for obvious typographical errors."¹ Further, it is the burden of the party relying upon the transcript to establish it correctly reflects the names and testimony of witnesses at trial.² The party relying on the transcript must ensure its correctness prior to relying on it.³ The Administrative Law Judge ("ALJ") has a duty to "inquire fully into the facts" and the authority to dispose of motions,

¹ NLRB Division of Judges Benchbook §12-700 (Jan. 2019).

² *Teamsters Local 705 (Pennsylvania Truck Lines)*, 314 N.L.R.B. 95, n. 2 (1994).

³ *Id.*

rendering an ALJ's correction of errors discovered in the trial transcript, upon the motion of a party, a necessary and proper endeavor.⁴

Trial Transcript Errors and Corrections

PAGE, LINE NUMBER	TESTIFYING WITNESS	ERROR	CORRECTION
Page 38, Line 4	Scott Habermehl	"apologize"	"apologies"
Page 91, Line 12	Elba Ruiz	"Bowling teams"	Unknown
Page 162, Lines 4 and 7	Walter Aguilar	Surname "Ranjel"	Unknown
Page 162, Line 10	Walter Aguilar	"voracity"	"veracity"
Page 169, Line 7	Walter Aguilar	"It's rate"	"It's rare"
Page 216, Line 21	Walter Aguilar	"numerous speaking"	"numerous Spanish Speaking"
Page 394, Line 11, 12	Apolonia Rios	"comparation"	"comparison"
Page 395, Line 11, 12	Apolonia Rios	"comparation"	"comparison"
Page 491, Line 20	Francisco Castillo	"12:30"	"12 or 13"
Page 583, Line 17	Francisco Castillo	Surname "Garzca"	"Garza"
Page 589, Line 14	Francisco Castillo	"predicted"	"permitted"
Page 625, Line 5	Francisco Castillo	"because"	"between"
Page 647, Line 19	Shannon VanNoy	"this"	"visits"
Page 721, Line 9	Shannon VanNoy	"left"	"leave"
Page 840, Line 16	Shannon VanNoy	Surname "Doll"	"Dahl"
Page 862, Line 7	Shannon VanNoy	"breadlining"	Unknown
Page 889, Line 3	Mark Emmons	"knots"	"knives"
Page 904, Line 2	Guadalupe Rodriguez	"tend"	"intend"
Page 925, Line 21, 24	Jose Villalobos	"bumper"	"dumper"
Page 926, Line 1, 2, 6	Jose Villalobos	"bumper"	"dumper"
Page 926, Line 22	Jose Villalobos	"B-trim"	"beef trim"
Page 958, Line 1	Maria Mendoza	"artiste"	"RTE"
Page 958, Line 15	Maria Mendoza	"big"	"beef"
Page 977, Line 17	Maria Mendoza	"May"	"Mike"
Page 1066, Line 6	Leah Cochran	"no"	"one"
Page 1093, Line 23	Leah Cochran	"would"	"wouldn't"
Page 1132, Lines 17-18	Vicente Nunez	"mad"	Unknown

⁴ Rules and Regulations of the National Labor Relations Board §102.35 (April 2015); *Serv-Air, Inc.*, 161 NLRB 382 n. 1 (1966).

Page 1157, Line 6	Abigail Forsten	“to”	“do”
Page 1197, Line 19	Jorge Torres	“any”	“anything”
Page 1219, line 16	Rodolfo Rodriguez	“All depend the products”	“It depends on the products”
Page 1257, Line 11	Rodolfo Rodriguez	“your”	“their”
Page 1257, Lines 23-25	Rodolfo Rodriguez	“second”	“exit”
Page 1258, Lines 1, 9	Rodolfo Rodriguez	“second”	“exit”
Page 1330, Line 25	Carlos Giron	“instant”	“instance”
Page 1346, Lines 11-12	Gerald Cox	Surname “Doll”	“Dahl”
Page 1349, Line 7	Gerald Cox	Surname “Doll”	“Dahl”
Page 1370, Line 11	Gerald Cox	Surname “Doll”	“Dahl”
Page 1372, Lines 12, 22	Gerald Cox	Surname “Doll”	“Dahl”
Page 1376, Line 14	Gerald Cox	Surname “Doll”	“Dahl”
Page 1383, Line 17	Gerald Cox	Surname “Doll”	“Dahl”
Page 1385, Line 25	Gabriela Esquivel	Surname “Esquidel”	“Esquivel”
Page 1389, Line 13	Gabriela Esquivel	Surname “Esquidel”	“Esquivel”
Page 1404, Line 25	Gabriela Esquivel	Surname “Esquidel”	“Esquivel”
Page 1405, Line 22	Gabriela Esquivel	Surname “Esquidel”	“Esquivel”
Page 1407, Line 10	Gabriela Esquivel	Surname “Esquidel”	“Esquivel”
Page 1408, Line 23	Gabriela Esquivel	Surname “Esquidel”	“Esquivel”
Page 1423, Lines 17, 19	Ronald Ortega	Surname “Doll”	“Dahl”
Page 1424, Line 21	Ronald Ortega	Surname “Doll”	“Dahl”

Dated 7-11-19

ALANIZ LAW & ASSOCIATES, PLLC

/s/Brett Holubeck

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ORDER GRANTING CORRECTIONS TO TRIAL TRANSCRIPT

I, the undersigned representative of the Board having lawful authority over corrections to the trial transcript in 07-CA-209874 & 07-CA-212031, do hereby grant Employer's request for the stated corrections to the trial transcript.

GRANTED/DENIED.

Signature

Print Name

Title

Date

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Affidavit of Service

The undersigned, being duly sworn, deposes and says that on July 11, 2019, on behalf of Boar's Head Provisions Co., Inc. (Boar's Head), filed with the Board and sent a copy of Boar's Head's Motion for Corrections to Trial Transcript to the parties whose names are set forth below, via email.

Chief Administrative Law Judge Robert Giannasi
Robert.giannasi@nlrb.gov

Ms. Colleen Carol
Colleen.Carol@nlrb.gov

Mr. Steve Carlson
Steve.Carlson@nlrb.gov

Ms. Sarai King
sking@ufcw.org

Brett Holubeck
Brett Holubeck

SUBSCRIBED AND SWORN TO me on this 11th day of July 2019.



Teresa M. Garza
Notary Public, In and For
The State of Texas

Teresa M. Garza
Printed Name of Notary

Commission Expires:

July 18, 2020