



**In the Matter of:**

**KENNETH PALMER,**

**ARB CASE NO. 16-035**

**COMPLAINANT,**

**ALJ CASE NO. 2014-FRS-154**

**v.**

**DATE: September 30, 2016**

**CANADIAN NATIONAL RAILWAY/  
ILLINOIS CENTRAL  
RAILROAD COMPANY,**

**REISSUED (with full dissent): Jan. 4, 2017**

**RESPONDENT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

### **ERRATUM**

On September 30, 2016, the Administrative Review Board (ARB) issued a Decision and Order in this case in which several attorney appearances of record were omitted. Today, we reissued the decision with Judge Royce's full concurrence and dissent, Judge Desai's concurrence, and this erratum with some additional attorneys of record. In all other respects, the Decision and Order of Remand remains the same.

*For the Academy of Rail Labor Attorneys:*

**Lawrence M. Mann, Esq; *Alper & Mann, PC*; Bethesda, Maryland**

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*For Law Professors Erwin Chemerinsky and Robert F. Williams, together with the Brotherhood of Maintenance Way Employees, Division of the International Brother of Teamsters (BMWED):*

**Ned Miltenberg, Esq.; *National Legal Scholars Law Firm, P.C.*; Bethesda, Maryland (Law Professors)**

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*For the Chamber of Commerce of the United States of America:*

**James E. Gauch, Esq.; *Jones Day*; Washington, District of Columbia**

**Steven P. Lehotsky, Esq. and Warren Postman, Esq.; *U.S. Chamber Litigation Center*; Washington, District of Columbia**

**FOR THE ADMINISTRATIVE REVIEW BOARD:**

**Janet R. Dunlop  
General Counsel**