Matis, Jennifer A.

From: Flynn, Terence F.
Sent: Friday, November 18, 2011 12:02 PM
To: 'Kenneth Lopatka'
Subject: RE: final edits

Ferguson has advised them that [redacted] Deliberative

From: Kenneth Lopatka [redacted]
Sent: Friday, November 18, 2011 11:57 AM
To: Flynn, Terence F.
Subject: Re: final edits

Interesting. [redacted] Refers to Deliberative Info Provided by T. Flynn [redacted].

On Fri, Nov 18, 2011 at 11:23 AM, Flynn, Terence F. <Terence.Flynn@nlrb.gov> wrote:
BTW, the DH Horton case, which presents this issue, may not issue. Brian is recused, and while the majority wants to press forward, [redacted] Deliberative

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From: Kenneth Lopatka [redacted]]
Sent: Thursday, November 17, 2011 11:17 AM
To: Flynn, Terence F.
Subject: Fwd: final edits

---------- Forwarded message ----------

From: **Kenneth Lopatka** <[redacted]>
Date: Fri, Nov 11, 2011 at 4:28 PM
Subject: Fwd: final edits
To: [redacted] T. Flynn's personal email address

Terry:

Hope you are enjoying the Veterans Day Holiday. I am forwarding the page proofs of my article in case it is useful for you. There aren't any substantive changes from the manuscript version, but I have had to do more footnote work because the law review editors are compulsive about footnotes, (Most of the work was eliminating or fixing footnotes they added, although I did add some of my own and update others. The bottom line is that the article is finally in a citable form.

Any guess as to what is going to happen after Congress adjourns? I have been thinking that Obama might nominate a moderate Dem so that you and that nominee can be submitted to the Senate for confirmation in order to keep the Board operating. I am not sure that their will be a sufficient belief on the part of Republicans in the moderation of the Dem nominee to make that work, and another reason why it probably won't work is that Obama may include a radical GC (or Lafe) as part of the package.

You obviously have a more educ[redacted]l view about what is likely to happen, [redacted] I would enjoy hearing your thoughts at a time convenient for you.

All the best.

Ken

---------- Forwarded message ----------
From: [redacted]
Date: Fri, Nov 11, 2011 at 3:50 PM
Subject: Re: final edits
To: Kenneth Lopatka <[redacted]>

I've attached the proof. We submitted the proof this week, and I understand that it can take about a month for you to receive the hard copy articles. Let me know if you have any other questions.

thanks,

[redacted]

On Fri, Nov 11, 2011 at 3:40 PM, Kenneth Lopatka <[redacted]> wrote:
[redacted]

Although I suggested earlier that you should send it, it occurs to me that you must have more than enough essential things to do right now. Why don't you send the camera ready proof to me, and I will forward it. By the way, when do you expect the printed version to come off the presses?

Ken

On Fri, Nov 11, 2011 at 2:26 PM, [redacted] wrote:
Mr. Lopatka, I have the camera ready proof of your article. If you give me the email address I can send it along to the NLRB, or I can email it to you to pass along, either way is fine.

thanks,

[redacted]

On Thu, Oct 27, 2011 at 3:02 PM, Kenneth Lopatka [redacted]> wrote:

[redacted]:
Attached are tow documents. The first is a list of the final edits I made in the revised draft article you sent recently. The second is the revised draft with my final edits. The second document bears my changes in red. Between the red ink and the list of final edits, I don't believe there will be mistakes about the the changes I have made. If, however, your editors have any uncertainties, they should not hesitate to contact me.

When the article is in page proof, let me know. If we beat the NLRB decision, I will give you an e-mail address where you can send the page proofs in order to capture an opportunity to be cited.

The work your editors have done is very good and very much appreciated.

Ken Lopatka