

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

DAVID SAXE PRODUCTIONS, LLC AND VEGAS!
THE SHOW, LLC AND DAVID SAXE
PRODUCTIONS, LLC AND FAB FOUR LIVE, LLC,

ORIGINAL

Petitioner/Cross-Respondent :

Nos. 16-1315,

v. :

16-1340

NATIONAL LABOR RELATIONS BOARD :

Respondent/Cross-Petitioner :

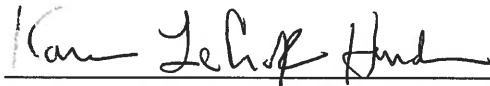
JUDGMENT

Before: HENDERSON, ROGERS, and KAVANAUGH, Circuit Judges.

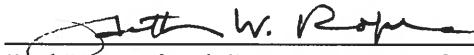
THIS CAUSE came to be heard upon a petition filed by the David Saxe Productions, LLC and Vegas! The Show, LLC and David Saxe Productions, LLC and Fab Four Live LLC to review an Order of the National Labor Relations Board dated August 26, 2016, in Case Nos. 28-CA-075461 and 28-CA-084151, reported at 364 NLRB No. 100, and upon a cross-application for enforcement filed by the National Labor Relations Board to enforce said Order. The Court heard argument of the parties and has considered the briefs and agency record filed in this cause. On May 4, 2018, the Court, being fully advised in the premises, handed down its opinion granting in part the petition of David Saxe Productions, LLC and Vegas! The Show, LLC and David Saxe Productions, LLC and Fab Four Live LLC and granting in part the Board's cross-petition for enforcement. In conformity therewith, it is hereby

ORDERED AND ADJUDGED by the Court that David Saxe Productions, LLC and Vegas! The Show, LLC and David Saxe Productions, LLC and Fab Four

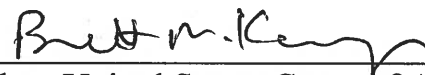
Live LLC, its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).



Judge, United States Court of Appeals
for the District of Columbia Circuit



Judge, United States Court of Appeals
for the District of Columbia Circuit



Judge, United States Court of Appeals
for the District of Columbia Circuit

ENTERED: June 11, 2018

DAVID SAXE PRODUCTIONS, LLC AND VEGAS! THE
SHOW, LLC, AND DAVID SAXE PRODUCTIONS, LLC
AND FAB FOUR LIVE, LLC

v.

NATIONAL LABOR RELATIONS BOARD

ORDER

David Saxe Productions, LLC and *Vegas! The Show*, LLC, and David Saxe Productions, LLC and Fab Four Live, LLC, Las Vegas, Nevada, their officers, agents, successors, and assigns shall

1. Cease and desist from
 - (a) Prohibiting employees from engaging in protected concerted activities.
 - (b) Disparaging employees for engaging in protected concerted activities.
 - (c) Threatening employees with unspecified reprisals because they engaged in protected concerted activities.
 - (d) Impliedly threatening employees with discharge for engaging in protected concerted activities.
 - (e) Instructing employees that their failure to cease complaining about protected activity will result in the non-renewal of their employment contracts and thereby result in discharge.
 - (f) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Within 14 days after service by the Region, post at its Las Vegas, Nevada facility copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 28, after being signed by the Respondents' authorized representatives, shall be posted by the Respondents and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other

electronic means, if the Respondent in question customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondents to ensure that the notices are not altered, defaced, or covered by any other material. If any Respondent has gone out of business or closed the facility involved in these proceedings, that Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by that Respondent at any time since September 27, 2011.

- (b) Within 21 days after service by the Region, file with the Regional Director for Region 28 a sworn certification of a responsible official of each respective Respondent on a form provided by the Region attesting to the steps that that Respondent has taken to comply.

APPENDIX

NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES COURT OF APPEALS
ENFORCING AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT prohibit you from engaging in protected concerted activities.

WE WILL NOT disparage you for engaging in protected concerted activities.

WE WILL NOT threaten you with unspecified reprisals because you engaged in protected concerted activities.

WE WILL NOT impliedly threaten you with discharge for engaging in protected concerted activities.

WE WILL NOT instruct you that your failure to cease complaining about protected activity will result in the non-renewal of your employment contracts and thereby result in your discharge.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

DAVID SAXE PRODUCTIONS, LLC AND *VEGAS! THE SHOW*, LLC, AND DAVID SAXE
PRODUCTIONS, LLC AND FAB FOUR LIVE, LLC, SINGLE EMPLOYER

The Board's decision can be found at www.nlr.gov/case/28-CA-075461 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Room 5011, Washington, D.C. 20570, or by calling (202) 273-1940.



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	:	
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CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2018, I electronically filed the foregoing document with the Court for the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system. I further certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

s/Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, D.C.
this 15th day of May, 2018