

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

**925 WAGNER OPERATING, LLC d/b/a  
VILLAGE CARE CENTER**

**and**

**Case 8-CA-39031**

**SERVICE EMPLOYEES INTERNATIONAL UNION,  
SEIU, DISTRICT 1199**

**ORDER<sup>1</sup>**

The Employer's petition to revoke subpoenas duces tecum B-559153 and B-559154 is denied. The subpoenas seek information relevant to the matter under investigation and describe with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).<sup>2</sup>

Dated, Washington, D.C., January 18, 2011

WILMA B. LIEBMAN,           CHAIRMAN

CRAIG BECKER,           MEMBER

MARK GASTON PEARCE,   MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> As the Employer has not yet stipulated to sufficiently specific facts concerning its involvement in interstate commerce or returned a completed commerce questionnaire, the requested financial information is relevant to the investigation. Nonetheless, the Employer is not precluded from supplying a sufficiently specific stipulation or commerce questionnaire, which the Region is free to accept in lieu of requested documents relating to interstate commerce.

Further, the Region noted that the Employer delivered copies of collective-bargaining agreements that appear to meet the subpoena's request for these documents. Accordingly, the Employer need not produce duplicates of these documents.