

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

**CASINO ONE CORPORATION d/b/a
LUMIERE PLACE CASINO and HOTELS**

and

Case 14-CA-078274

UNITE HERE LOCAL 74

ORDER DENYING MOTION FOR RECONSIDERATION¹

On August 21, 2012, Casino One Corporation (the Employer) filed a Motion for Reconsideration of the Board's August 9, 2012 Order denying its petition to revoke subpoena duces tecum B-613019. Having duly considered the matter, the Employer's motion is denied.

The Employer contends that the Board's statement in its Order that the Employer had not sought approval from the Missouri Gaming Commission for the release of the documents pursuant to the subpoena is "wholly inaccurate," and that compliance with the subpoena would cause it to violate state gaming regulations (Chapter M, § 4.03 of the Missouri Gaming Commission's Minimum Internal Control Standards). However, the instant motion provides no evidence that the Employer has made a request of the Commission to permit release of the surveillance tapes to the Region pursuant to the Region's subpoena or the Board's Order denying the Employer's petition to revoke the subpoena.

Further, the December 29, 2011 letter attached to the Employer's motion from the Deputy Director, Missouri Gaming Commission, to the Employer's Compliance

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

Officer states, in relevant part, that a waiver to the prohibition on releasing surveillance recordings may be granted “upon receipt of a subpoena issued by a court or administrative body of competent jurisdiction.” Thus, this letter demonstrates that, if the Employer had sought such a waiver from the Commission, it is likely that the waiver would have been granted.

Accordingly, we deny the motion for reconsideration.

Dated, Washington, D.C., September 24, 2012.

MARK GASTON PEARCE,	CHAIRMAN
BRIAN E. HAYES,	MEMBER
RICHARD F. GRIFFIN, JR.,	MEMBER