UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PUMA ENERGY CARIBE, LLC

and

UNIÓN DE TRONQUISTAS DE PUERTO RICO, LOCAL 901, IBT

Cases 12-CA-146113
12-CA-146902
12-CA-150264

ORDER[1]

The Employer's petition to revoke subpoena duces tecum B-1-MR243X is denied.[2] The subpoena seeks information relevant to the matter under investigation and describes 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 subpoena. 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).[3]

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

[2] Accordingly, the Employer's unsupported request for costs, attorney's fees, and additional relief is denied.

[3] To the extent that the Employer has provided some of the requested material, it is not required to produce that information again, provided that the Employer accurately describes which documents under subpoena it has already provided, states whether those previously-supplied documents constitute all of the requested documents, and provides all of the information that was subpoenaed.

In addition, the General Counsel has indicated in his opposition brief that he is willing to modify the subpoena by limiting the information requested in paragraph 2, to reflect the Employer's partial production of documents. In considering the petition to revoke, we have evaluated the subpoena as modified in this manner.

With respect to the Employer's argument that the subpoena seeks confidential information, we note that it has provided no legal or factual support for this assertion. Further, the Region notes in its opposition to the petition to revoke that it does not object to the Employer redacting employees' Social Security numbers before it produces the requested information.

Dated, Washington, D.C., August 24, 2015.

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER