

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

**NFI AND TRI-STATE STAFFING,
A JOINT EMPLOYER**

and

WAREHOUSE WORKERS UNITED

**Cases 31-CA-63360
31-CA-63620
31-CA-65731
31-CA-66952**

ORDER¹

Tri-State Staffing's petition to revoke subpoena duces tecum B-614532 is denied. The subpoena seeks information relevant to the matters 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, Tri-State has failed to establish any other legal basis for revoking the subpoenas.² 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

Dated, Washington, D.C., March 5, 2012.

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

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

² To the extent that Tri-State has provided some of the requested material, it is not required to produce that information again.

³ In considering the petition to revoke, we have evaluated subpoena B-614532 as clarified by the Region in its opposition brief.