

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

ARCO CONSTRUCTION GROUP

and

Case 22-CA-072747

LOCAL 595, LIUNA

ORDER¹

Arco Construction Group's petition to revoke subpoena duces tecum B-612392 is granted with respect to Paragraph 5, which requires that the Employer provide "[a] list specifying what documents are being produced pursuant to each paragraph above." In all other respects, the petition is denied. Paragraphs 1-4 of the subpoena 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 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).

Dated, Washington, D.C., April 4, 2012.

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| BRIAN E. HAYES, | MEMBER |
| RICHARD F. GRIFFIN, JR., | MEMBER |
| TERENCE F. FLYNN, | MEMBER |

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