

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

**INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL UNION 513**

and

Case 14-CB-10472

RON HEMINGWAY

ORDER

The petition to revoke subpoena ad testificandum A-852581, filed by International Union of Operating Engineers, Local Union 513, is denied. 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 Union has failed to establish any legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., May 6, 2010.

WILMA B. LIEBMAN,	CHAIRMAN
PETER C. SCHAUMBER,	MEMBER
CRAIG BECKER,	MEMBER