

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

SOUTH WATER MARKET, INC.

and

Case 13-CA-103435

TEAMSTERS LOCAL 703

ORDER

The petitions to revoke subpoenas duces tecum B-710578 and B-710579, filed by Michael De La Rosa and Ciro Diosdado, respectively, are denied. The subpoenas 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 Petitioners have failed to establish any other legal basis for revoking the subpoenas.¹ 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., June 28, 2013.

MARK GASTON PEARCE,	CHAIRMAN
RICHARD F. GRIFFIN, JR.,	MEMBER
SHARON BLOCK,	MEMBER

¹ The Petitioners argue that the subpoenas are void ab initio, because the Board does not have a valid quorum under *NLRB v. Noel Canning*, 705 F.3d 490 (D.C. Cir. 2013), cert. granted, 81 U.S.L.W. 3629 (U.S. June 24, 2013)(No. 12-1281). For the reasons stated in *Bloomingtondale's, Inc.*, 359 NLRB No. 113 (2013), we reject this argument.