

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ARAMARK UNIFORM SERVICES, INC. d/b/a
ARAMARK UNIFORM SERVICES - ORLANDO

and

Case 12-CA-133609

TEAMSTERS LOCAL UNION NO. 385

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-709471 is denied as untimely. Section 11(1) of the Act and Section 102.31(b) and 102.111 of the Board's Rules and Regulations require that a petition to revoke a subpoena must be filed within 5 business days after the date of service of the subpoena. The subpoena here was received by the subpoenaed party on October 30, 2014. Thus, the instant petition, which was filed November 7, 2014, is untimely.

In addition, even assuming that the petition was timely filed, it is lacking in merit. 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, the Petitioner 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.*

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

Carolina Food Processors, Inc., 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., February 9, 2015

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III, MEMBER

LAUREN McFERRAN, MEMBER