

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SAND AND SEA INC. D/B/A SHORE HOTEL

and

UNITE HERE LOCAL 11

Cases 31-CA-162437  
31-CA-162438  
31-CA-162440

**ORDER<sup>1</sup>**

The Employer's petition to revoke subpoena duces tecum B-1-Q81LQ9 is denied.<sup>2</sup> 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 Employer has failed to establish any other legal basis for revoking the subpoena.<sup>3</sup> 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 21, 2016.

MARK GASTON PEARCE,	CHAIRMAN
KENT Y. HIROZAWA,	MEMBER
LAUREN McFERRAN,	MEMBER

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

<sup>2</sup> In reviewing the petition to revoke, we have considered the subpoena in light of the Region's clarification that subpoena paragraph 4 requests information that is not duplicative of information provided in response to subpoena paragraph 2, as set forth in the Region's opposition brief.

<sup>3</sup> To the extent that the Employer has provided some of the requested material, it is not required to produce that information again, provided that the Employer accurately describes which documents under subpoena it has already provided, states whether those previously-supplied documents constitute all of the requested documents, and provides all of the information that was subpoenaed.