

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

**UPS FREIGHT**

**and**

**Case 21-CA-174103**

**PATRICIA JOHNSON**

**ORDER**

Petitioner UPS Freight's Petition to Revoke subpoena duces tecum B-1-SNIQB5 is denied. 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.<sup>1</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., October 7, 2016.

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| MARK GASTON PEARCE,   | CHAIRMAN |
| PHILIP A. MISCIMARRA, | MEMBER   |
| LAUREN McFERRAN,      | MEMBER   |

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<sup>1</sup> To the extent that the Petitioner has provided some of the requested material, it is not required to produce that information again, provided that the Petitioner 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.