

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MIDWEST TERMINALS OF TOLEDO  
INTERNATIONAL, INC.

and

Case 08-CA-178669

INTERNATIONAL LONGSHOREMEN'S  
ASSOCIATION, LOCAL 1982

ORDER

The Employer's petition to revoke subpoena duces tecum B-1-UN5OGN and subpoena ad testificandum A-1-UN5U35 is denied. The subpoenas seek information relevant to the matters 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 Employer has failed to establish any other legal basis for revoking the subpoenas. 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).<sup>1</sup>

Dated, Washington, D.C., April 25, 2017.

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

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<sup>1</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.

The Region acknowledges that the information sought in par. 2 and 3 of subpoena duces tecum B-1-UN5OGN was previously sought in subpoena duces tecum B-1-U14BWX, as part of the investigation in Cases 08-CA-152052 and -158778. On April 12, 2017, the Board issued an Order denying the Employer's petition to revoke subpoena B-1-U14BWX. If the Employer complies with its obligation to produce information required by the April 12 Order, it does not need to reproduce the information sought in par. 2 and 3 of subpoena B-1-UN5OGN.