

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

E.W. HOWELL CO., LLC

and

Case 29-CA-195626

**UNITED BROTHERHOOD OF CARPENTERS AND
JOINERS OF AMERICA, NORTHEAST REGIONAL
COUNCIL OF CARPENTERS**

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-1-X8QSV5 and subpoena ad testificandum A-1-X8QAIL is denied.² 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. See *Postal Workers Local 64 (USPS)*, 340 NLRB 912 (2003); *Offshore Mariners United*, 338 NLRB 745 (2002). 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).

Dated, Washington, D.C., December 20, 2017.

MARK GASTON PEARCE,	MEMBER
LAUREN McFERRAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

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

² In considering the petition to revoke, we have evaluated the subpoena duces tecum in light of the Region's modification in its opposition brief narrowing the scope of paragraph 2 to subcontracts for carpentry work in Nassau and Suffolk Counties, New York, for the period January 1, 2015 to June 1, 2017, and all subcontracts across all jurisdictions for the period June 1, 2017 to the present, and narrowing the scope of paragraph 4 to all contracts for general contracting work executed by the Employer with all addendums and exhibits that show and describe all work performed for any entity in any jurisdiction for the period June 1, 2017 to the present.