

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

**MGM RESORTS MISSISSIPPI, INC.,
D/B/A GOLD STRIKE CASINO RESORT**

and

Case 15-CA-196203

SANDRA KANEY

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-1-WTFY5L 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 Employer has failed to establish any other legal basis for revoking the subpoena.² 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., May 24, 2018.

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 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 Employer argues that it has already provided to the Region the surveillance footage requested in Par. 7 of the subpoena by allowing the Region to view it via a web portal. The Employer further argues that it should not be required to provide an actual copy of the footage to the Region because, if made public, it could compromise the security of its surveillance system. In light of this concern, the petition to revoke is denied subject to the Region's entering into an appropriate confidentiality agreement protecting the copy of the surveillance video from disclosure.