

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

**FUYAO GLASS AMERICA, INC.**

**and**

**Case 09-CA-201391**

**INTERNATIONAL UNION, UNITED  
AUTO, AEROSPACE, AGRICULTURAL  
IMPLEMENT WORKERS OF AMERICA  
(UAW)**

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

The Employer's Petition to Partially Revoke subpoena duces tecum B-1-XHW5BD 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.<sup>2</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., July 18, 2018.

JOHN F. RING,	CHAIRMAN
MARK GASTON PEARCE,	MEMBER
MARVIN E. KAPLAN,	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. Member Emanuel took no part in the consideration of this case.

<sup>2</sup> In considering the petition to revoke, we have evaluated the subpoena in light of the Region's modification, as stated in its opposition brief, limiting Item 2 to disciplinary records issued to employees working in the Rework/Bubble Repair area or department.