

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

**MIDWEST TERMINALS OF TOLEDO
INTERNATIONAL, INC.**

and

**Cases 08-CA-204544
08-CA-207472
08-CA-208319
08-CA-211702
08-CA-212483**

**INTERNATIONAL LONGSHOREMEN'S
ASSOCIATION, LOCAL 1982**

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-1-11SCL53 and subpoenas ad testificandum A-1-11SDH5L and A-1-11SDRD3 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

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

² In denying the petition, we have considered the subpoenas in light of the Region's statement in its opposition brief that, based on the Employer's supplemental position statement in Case 08-CA-207472, the Region is no longer seeking the documents requested in pars. 1, 4, 5, 7, 8, 9, and the portion of par. 3 that seeks gate logs for December 26 and December 28, 2017, in subpoena duces tecum B-1-11SCL53; testimony regarding pars. 8 through 12 in subpoena ad testificandum A-1-11SDH5L; or testimony regarding pars. 5 through 18 in subpoena ad testificandum A-1-11SDRD3. We further note that the Region dismissed the charge in Case 08-CA-207472 on July 31, 2018, subsequent to the issuance of the instant subpoenas.

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., October 17, 2018.

JOHN F. RING,	CHAIRMAN
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER