

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES-SAN FRANCISCO BRANCH OFFICE**

**TRACY AUTO, L.P.
d/b/a TRACY TOYOTA**

**Cases 32-CA-260614
32-CA-262291
32-RC-260453**

and

**MACHINISTS AND MECHANICS LODGE
NO. 2182, DISTRICT LODGE 190,
INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS, AFL-CIO**

ORDER REGARDING SUPPLEMENTAL DOCUMENT PRODUCTION

During testimony in this matter taken on January 7 and 8, 2021, the parties identified certain subpoenaed documents that were not included in the document production of witness Tyrome Jackson (Jackson). These included photographs referenced and sent by Jackson within group chats on the WhatsApp platform. Yesterday, Counsel for the General Counsel provided me with a copy of certain documents (produced by Jackson) that he had reviewed and previously redacted in accordance with our discussions on the record last week (the supplemental Jackson production). He also informed the parties that the only pictures sent by Jackson in the group chats required no redaction.

Counsel for the General Counsel also provided me yesterday with documents produced by Mong Lo in response to Respondent's subpoena (the M. Lo production). Other than the two WhatsApp chats previously produced by other witnesses, Lo produced a number of text messages which contain a single redaction of an individual's phone number (presumably for purposes of privacy). Barring a showing by Respondent that this phone number has potential relevance to this matter, I find this redaction appropriate.

Counsel for the General Counsel's cover emails accompanying the transmission of the supplemental Jackson production and the M. Lo production are attached as Exhibit A hereto. See NLRB Rules and Regulations, Sec. 102.132(a) and (b). Counsel for the General Counsel is to provide a redacted copy of these two productions to Respondent's counsel.

So **ORDERED**.

Date: January 12, 2020, San Francisco, California.



Mara-Louise Anzalone
Administrative Law Judge

EXHIBIT A

Anzalone, Mara-Louise

From: Wong, Jason P
Sent: Monday, January 11, 2021 4:25 PM
To: Anzalone, Mara-Louise
Subject: Jackson additional SDT WhatsApp docs
Attachments: Jackson TTS Unionizing WhatsApp chat - with ALJs 1-8 instructions.pdf; Jackson updated SDT docs - TT 100 WhatsApp Chat with Pics he sent.pdf

Your Honor:

Attached are additional documents concerning Jackson's 1) Toyota 100 WhatsApp Chat and the pics he sent in that chat, and 2) TTS Unionizing WhatsApp Chat. Copies of both chats reflect the most recent redaction instructions you gave at the hearing on January 8. Thank You.

Thank You,
Jason Wong
Field Attorney
NLRB - Region 20
901 Market Street, Suite 400
San Francisco, CA 94103
Phone: 628-221-8836
Fax: 415-356-5156

The NLRB now requires electronic filing of documents, including affidavits, correspondence, position statements, and documentary or other evidence. This requirement does not apply to ULP charges, or to petitions and showings of interest in representation cases. See GC 20-01. <https://apps.nlr.gov/link/document.aspx/09031d4582dfa410>

E-filing link: <https://www.nlr.gov/cases-decisions/filing>

Written instructions for the Agency's E-Filing System: <https://apps.nlr.gov/myAccount/assets/E-Filing-System-User-Guide.pdf>

Video demonstration with instructions: https://apps.nlr.gov/myAccount/assets/My%20Account%20Portal%20Overview/story_html5.html

Frequently Asked Questions. <https://apps.nlr.gov/myAccount/#/FileCaseDocument/FAQ>

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Anzalone, Mara-Louise

From: Wong, Jason P
Sent: Monday, January 11, 2021 4:39 PM
To: Anzalone, Mara-Louise
Subject: Tracy Toyota - Mong Lo SDT Docs

Your Honor:

Please follow the link below to see Mong Lo's documents responding to the SDT he received. He did not send me any pics or videos. The two WhatsApp chats he produced seem to match those of Jackson. Thus, I used the updated redacted copies of Jackson's WhatsApp chats for Mong Lo. Thank You.

Here's a OneDrive link to [Mong for ALJ](#).

Thank You,
Jason Wong
Field Attorney
NLRB - Region 20
901 Market Street, Suite 400
San Francisco, CA 94103
Phone: 628-221-8836
Fax: 415-356-5156

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Frequently Asked Questions. <https://apps.nlr.gov/myAccount/#/FileCaseDocument/FAQ>

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Served by email upon the following:

For the General Counsel:

Jason P. Wong, Esq. jason.wong@nlrb.gov

For Tracy Auto, L.P.:

John P. Boggs, Esq. jboggs@employerlawyers.com

For Machinists and Mechanics Lodge No. 2182:

Caren Sencer, Esq. csencer@unioncounsel.net

William T. Hanley, Esq. whanley@unioncounsel.net

From: Lee, Vanise J.

Sent: Tuesday, January 12, 2021 11:36 AM

To: Wong, Jason P <Jason.Wong@nlrb.gov>; john boggs <jboggs@employerlawyers.com>; whanley@unioncounsel.net; caren sencer <csencer@unioncounsel.net>

Cc: Gomez, Doreen E. <Doreen.Gomez@nlrb.gov>; DiCrocco, Brian <Brian.DiCrocco@nlrb.gov>; Lee, Vanise J. <Vanise.Lee@nlrb.gov>

Subject: FW: Order re Supplemental Subpoena Response by Jackson, Tracy Toyota LP, 32-CA-260614, et al.

Importance: High

Hello counsel, please see the attached Order from Administrative Law Judge Mara-Louise Anzalone.

Best regards,

Vanise J. Lee, Legal Tech.

NLRB Division of Judges San Francisco Branch

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