

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

CORRALITOS FARMS, LLC,	)	Case No.	2012-RC-004-SAL
	)		
Employer,	)		
	)		
and	)		
	)		
UNITED FARM WORKERS	)		
OF AMERICA,	)		
	)		
<u>Petitioner.</u>	)		
CORRALITOS FARMS, LLC,	)	Case Nos.	2012-CE-061-SAL
	)		2012-CE-062-SAL
	)		2012-CE-066-SAL
Respondent,	)		
	)		
and	)	ORDER DENYING APPLICATION	
	)	FOR SPECIAL PERMISSION TO	
	)	APPEAL ALJ'S RULING	
	)	REGARDING RESPONDENT'S	
	)	CELL PHONE RECORDS	
UNITED FARM WORKERS	)		
OF AMERICA,	)		
	)		
	)		
<u>Charging Party.</u>	)	Admin Order No.	2012-29

On November 9, 2012, pursuant to section 20242 of Title 8, California Code of Regulations, the General Counsel filed an application for special permission to appeal Administrative Law Judge (ALJ) Douglas Gallop's November 5, 2012 ruling on Respondent's Petition to Partially Revoke the General Counsel's Notice in Lieu of Subpoena in the above-captioned matter.

PLEASE TAKE NOTICE that the General Counsel's Application is DENIED.

The General Counsel's application fails to meet the requirements of *Premiere Raspberries, LLC, dba Dutra Farms* (2012) 38 ALRB No. 11. Pretrial discovery orders belong to a class of claims that, taken as a whole, can be adequately vindicated by means other than interim appeal. *See Mohawk Industries, Inc. v. Carpenter* (2009) 558 U.S. 100, 130 S. Ct. 559, 605-606 (denying collateral order review of pretrial discovery order requiring waiver of attorney-client privilege because it was not effectively unreviewable). The ALJ's ruling on this issue is no different.

By Direction of the Board.

Dated: November 13, 2012

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J. ANTONIO BARBOSA  
Executive Secretary, ALRB