

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

ARNAUDO BROTHERS, LP, AND/	)	Case Nos.	2013-CE-029-VIS
OR ARNAUDO BROTHERS, INC.,	)		2013-CE-032-VIS
	)		2014-CE-009-VIS
	)		2014-CE-011-VIS
Respondent,	)		2014-CE-012-VIS
)		
and	)	ORDER GRANTING GENERAL	
	)	COUNSEL’S REQUEST FOR	
	)	LEAVE TO SEEK COURT ORDER	
	)	REQUIRING COMPLIANCE	
UNITED FARM WORKERS OF	)	WITH SUBPOENAS	
AMERICA,)		
)		
	)	Admin. Order No. 2014-28	
<u>Charging Party/Intervenor.</u>)		

On August 21, 2014, the General Counsel of the Agricultural Labor Relations Board (the “General Counsel”) filed a Request for Leave to Seek Court Order Requiring Compliance with Subpoenas (the “Request for Leave”) in the above-captioned cases. The General Counsel alleges that investigative subpoenas were served upon Arnaudo Brothers, LP and Arnaudo Brothers, Inc. (the “Respondents”). Respondents separately filed petitions to revoke the subpoenas with the assigned administrative law judge (the “ALJ”). On July 31, 2014, the ALJ issued a ruling on the petitions to revoke, limiting and modifying the subpoenas in certain respects. The ALJ directed Respondents to produce documents in response to the subpoenas, as limited and modified, by August 14, 2014. The General Counsel alleges that Respondents have not produced any documents in response to the subpoenas and the ALJ’s order and

requests that the General Counsel be delegated the authority to seek court enforcement of the subpoenas in lieu of the Board initiating its own court proceeding pursuant to Board Regulation 20250, subdivision (k).

On September 10, 2014, the Agricultural Labor Relations Board (the “Board”) issued an Order Setting Response Time directing that Respondents would have until September 17, 2014, to file and serve a response to the General Counsel’s Request for Leave. No response has been received.

Section 20217, subdivision (b) of the Board’s regulations requires that investigative subpoenas seek materials that are relevant to the subject matter of the investigation or reasonably calculated to lead to the discovery of admissible evidence. The Board finds that the materials subpoenaed by the General Counsel, as limited and modified by the ALJ’s order, meet this standard.

PLEASE TAKE NOTICE that the General Counsel’s request for leave to seek court order requiring compliance with subpoenas is GRANTED.

PLEASE TAKE FURTHER NOTICE that, in this matter, the General

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Counsel is delegated the authority on behalf of the Board to initiate the appropriate court proceedings to enforce the subpoenas, as necessary.

Dated: September 22, 2014

William B. Gould IV, Chairman

Genevieve A. Shiroma, Member

Cathryn Rivera-Hernandez, Member