

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

KONARK RANCHES, LLC,	)	Case No. 2015-CE-048-VIS
	)	
Respondent,	)	
	)	
and	)	ORDER GRANTING GENERAL
	)	COUNSEL'S REQUEST FOR
ELIAS GARCIA,	)	BOARD ACTION TO ENFORCE
	)	SUBPOENA DUCES TECUM
	)	
Charging Party.	)	
	)	Admin. Order No. 2017-02
	)	
	)	(February 7, 2017)
	)	

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On January 24, 2017, the General Counsel of the Agricultural Labor Relations Board (the "ALRB" or "Board") filed with the Board a Request for Board Action to Enforce Subpoena Duces Tecum (the "Request") and supporting declaration of Assistant General Counsel Cristina Guerrero.

The General Counsel states that a subpoena duces tecum (the "Subpoena") was properly served on Respondent Konark Ranches, LLC ("Respondent"). (Declaration of Cristina Guerrero ("Guerrero Decl.") ¶ 3 & Exh. B.) The Subpoena required a response by January 13, 2017. The General Counsel further states that Respondent did not respond to the Subpoena and did not file a petition to revoke the Subpoena. (Guerrero Decl. ¶ 5.) The General Counsel states that the subpoenaed documents are relevant and necessary to prepare for the hearing in this

matter (Guerrero Decl. ¶ 6) and requests that the Board initiate subpoena enforcement proceedings in superior court pursuant to California Code of Regulations, title 8, section 20250, subdivision (k) or, in the alternative, authorize the General Counsel to initiate such proceedings on behalf of the Board.

On January 25, 2017, the Board issued an administrative order permitting Respondent to file a response to the General Counsel's Request. Said response was due by 5:00 p.m. on February 1, 2017. Respondent did not file a response.

Sections 20217, subdivision (e), and 20250, subdivision (b) of the Board's regulations require that subpoenas seek information that is material to the issues involved in the case. (Cal. Code Regs., tit. 8, § 20217, subd. (e) & 20250, subd.(b).) The Board has reviewed the Subpoena and finds that it seeks materials consistent with the standard set forth in these regulations.

PLEASE TAKE NOTICE that the General Counsel's Request is GRANTED pursuant to sections 20217, subdivision (g), and 20250, subdivision (k) of the Board's regulations.

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PLEASE TAKE FURTHER NOTICE that in this matter the General Counsel is delegated the authority on behalf of the Board to initiate the appropriate court proceedings, as necessary.

DATED: February 7, 2017

GENEVIEVE A. SHIROMA, Chairwoman

CATHRYN RIVERA-HERNANDEZ, Member

WILLIAM B. GOULD IV, Member

ISADORE HALL III, Member

1 **PROOF OF SERVICE**

2 (Code Civ. Proc., §§ 1013a, 2015.5)

3 I am a citizen of the United States and am employed in the County of Alameda. I am  
4 over the age of eighteen years and not a party to the within action. My business address is 1515  
5 Clay Street, Suite 701, Oakland, California 94612. On February 7, 2017, I caused to be served  
6 the following document(s):

7 **ORDER GRANTING GENERAL COUNSEL'S REQUESST FOR**  
8 **BOARD ACTION TO ENFORCE SUBPOENA DUCES TECUM**

9 on the parties to this action listed below, as follows:

10 **VIA CERTIFIED MAIL**

11 Elias Garcia  
12 1281 Toluca Way  
13 Madera, CA 93610

14 **VIA ELECTRONIC AND CERTIFIED MAIL**

15 Franchesca Herrera, Regional Director  
16 Susan Naranjo, Assistant General Counsel  
17 Christina Guerrero, Assistant General Counsel  
18 Agricultural Labor Relations Board  
19 342 Pajaro Street  
20 Salinas, CA 93901  
21 [fherrera@alrb.ca.gov](mailto:fherrera@alrb.ca.gov)  
22 [cguerrero@alrb.ca.gov](mailto:cguerrero@alrb.ca.gov)

23 Vishweshwar Ghanakota  
24 Konark Ranches, LLC  
25 6226 Paseo Colina  
26 Carlsbad, CA 92009  
27 [vish@konarkranches.com](mailto:vish@konarkranches.com)

28 **VIA HAND DELIVERY AND ELECTRONIC MAIL**

Julia Montgomery  
General Counsel  
Agricultural Labor Relations Board  
1325 J Street, Suite 1900-A  
Sacramento, CA 95814  
[Julia-Montgomery@alrb.ca.gov](mailto:Julia-Montgomery@alrb.ca.gov)

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct. Executed on February 7, 2017, at Oakland, California.

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5 \_\_\_\_\_  
6 Regina Schneider

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