## STATE OF CALIFORNIA

## AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of:	) Case Nos.: 00-CE-5-SAL
D'ARRIGO BROS. CO. OF CALIFORNIA,	) 01-CE-16-SAL ) 02-CE-14-SAL ) 04-CE-18-SAL ) 04-CE-18-1-SAL
Respondent,	ORDER GRANTING CHARGING
and	<ul><li>) PARTY'S REQUEST FOR ORDER</li><li>) AUTHORIZING ENFORCEMENT OF</li><li>) CHARGING PARTY'S NOTICE IN</li></ul>
UNITED FARM WORKERS OF AMERICA, AFL-CIO,	<ul> <li>LIEU OF SUBPOENA; NOTICE OF</li> <li>INSTITUTION OF PROCEEDING TO</li> <li>ENFORCE CHARGING PARTY'S</li> </ul>
Charging Party.	<ul><li>NOTICE IN LIEU OF SUBPOENA</li><li>Admin. Order 2004-6</li></ul>
	) Aumm. Oruci 2004-0
	)
	)

PLEASE TAKE NOTICE that the request for order authorizing enforcement of the charging party's notice in lieu of subpoena filed on July 20, 2004 by the United Farm Workers of America, AFL-CIO (UFW or Charging Party) in the above captioned matter is hereby GRANTED.

PLEASE TAKE ADDITIONAL NOTICE that the Agricultural Labor Relations Board (ALRB or Board), on relation of the Charging Party, will apply to the Superior Court of California, County of Monterey, Salinas Division for an order enforcing the Charging Party's notice in lieu of subpoena.

This proceeding will be instituted at the Charging Party's request pursuant to Section 1151 (b) of the Agricultural Labor Relations Act, and section 20250(k) of the

Board's regulations.<sup>1</sup> Where a notice in lieu of subpoena or subpoena was issued at the request of a private party, it is the Board's position that the party who caused the issuance of the notice or subpoena is in the best position to effectively prosecute the enforcement proceedings; therefore, by bringing this proceeding to enforce the Charging Party's notice in lieu of subpoena, neither the Board nor the General Counsel shall be deemed to

have assumed responsibility for the prosecution of this proceeding before the court.

By Direction of the Board

Dated August 16, 2004

J. ANTONIO BARBOSA Executive Secretary, ALRB

<sup>-</sup>

<sup>&</sup>lt;sup>1</sup> The Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act is found at California Labor Code section 1140 *et seq*. The Board's regulations are codified at California Code of Regulations, Title 8 section 20100 *et seq*.