

STATE OF CALIFORNIA

AGRICULTURAL LABOR RELATIONS BOARD

OCEAN MIST FARMS,) Case No. 2017-CE-006-VIS
)
 Respondent,) (46 ALRB No. 5)
)
 and) ORDER DENYING RESPONDENT’S
) MOTION TO RECONSIDER AND/OR
 JUAN ANTONIO ORTIZ,) MODIFY ORDER DENYING
) GENERAL COUNSEL’S REQUEST
 Charging Party.) FOR ENFORCEMENT OF
) SUBPOENA DUCES TECUM
)
) Admin. Order No. 2023-09
)
) (September 11, 2023)
)
 _____)

On August 30, 2023, respondent Ocean Mist Farms (Ocean Mist) filed a motion to reconsider and/or modify the Board’s August 28, 2023 order denying the General Counsel’s request for enforcement of subpoena duces tecum. (*Ocean Mist Farms* (Aug. 28, 2023) ALRB Admin. Order No. 2023-08.)

A party to an unfair labor practice proceeding may seek reconsideration of a Board action pursuant to Board regulation 20286.¹ The standard for hearing a motion for reconsideration of a Board order or decision is that “the moving party must show *extraordinary circumstances*, i.e., an intervening change in the law or evidence previously unavailable or newly discovered.” (*South Lakes Dairy Farms* (2013) 39 ALRB No. 2, p. 2, emphasis in original.) There are no extraordinary circumstances presented by Ocean Mist in its motion.

¹ The Board’s regulations are codified at California Code of Regulations, title 8, section 20100 et seq.

PLEASE TAKE NOTICE that for the above reasons, Ocean Mist's motion for reconsideration and/or modification is DENIED.

DATED: September 11, 2023

Victoria Hassid, Chair

Isadore Hall, III, Member

Barry D. Broad, Member

Ralph Lightstone, Member

Cinthia N. Flores, Member

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

PROOF OF SERVICE

(Code Civ. Proc., §§ 1013a, 1013b, 2015.5)

Case Name: OCEAN MIST FARMS, Respondent, and
JUAN ANTONIO ORTIZ, Charging Party

Case No.: 2017-CE-006-VIS (46 ALRB No. 5)

I am over the age of 18 years and not a party to this action. I am employed in the County of Sacramento. My business address is 1325 J Street, Suite 1900-B, Sacramento, California 95814.

On September 11, 2023, I served this **ADMINISTRATIVE ORDER 2023-09** on the parties in this action as follows:

- **By Email** to the parties pursuant to Board regulation 20169 (Cal. Code Regs., tit. 8, § 20169) from my business email address Angelica.Fortin@alrb.ca.gov.

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General Counsel
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- **By Certified Mail** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, with return receipt requested, in the United States mail at Sacramento, California, addressed as follows:

Juan Antonio Ortiz
83801 Dr. Carreon Blvd., Apt. 1501
Indio, CA 92201
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Thermal, CA 92274
Certified U.S. Mail # 70221670000151583361

Executed on September 11, 2023, at Sacramento California. I certify under penalty of perjury that the foregoing is true and correct.

Angelica Fortin

Angelica Fortin
Legal Secretary