

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.<sup>1</sup> 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.

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<sup>1</sup> 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

Cynthia N. Flores, Member