

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**1621 ROUTE 22 WEST OPERATING
COMPANY, LLC d/b/a SOMERSET
VALLEY REHABILITATION AND
NURSING CENTER**

and

**1199 SEIU UNITED HEALTHCARE WORKERS
EAST, NEW JERSEY REGION**

**Cases 22-CA-29599
22-CA-29628
22-CA-29868**

ORDER¹

The Respondent's Request for Special Permission to Appeal Administrative Law Judge Steven Davis's ruling denying the Respondent's petition to partially revoke the Union's Subpoena Duces Tecum No. B-612073 as it applies to paragraphs 1, 2, and 3, is denied. We find that the Respondent has failed to establish that the judge abused his discretion in denying the petition.

The Respondent's Request for Special Permission to Appeal Administrative Law Judge Steven Davis's ruling denying the Respondent's petition to partially revoke the Union's Subpoena Duces Tecum No. B-612073 as it applies to paragraphs 7, 8, and 9 is denied in part and granted in part. In this regard, the Respondent is directed to produce the subpoenaed documents for in camera inspection by the judge, who will turn over to the Acting General Counsel

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

and the Union any and only those documents relevant to the litigated issues.

Dated, Washington, D.C., June 23, 2011

WILMA B. LIEBMAN, CHAIRMAN

CRAIG BECKER, MEMBER

Member Hayes, dissenting in part.

Member Hayes would grant the Respondent's Special Appeal with respect to subpoena paragraphs 7, 8, and 9. In all other respects, Member Hayes would deny the Respondent's Special Appeal.

Dated, Washington, D.C., June 23, 2011

BRIAN E. HAYES, MEMBER