

**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 Acting General Counsel's Subpoena Duces Tecum No. B-612019 as it applies to paragraphs 35 and 38 is denied. We find that the Respondent has failed to establish that the judge abused his discretion in denying the petition as to these paragraphs.

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 Acting General Counsel's Subpoena Duces Tecum No. B-612019 as it applies to paragraph 36 is denied in part and granted in part. In this regard, the Respondent is directed to provide all responsive documents and communications available without resort to analysis of the email backup tapes, subject to the Acting General Counsel and the Union having the

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

opportunity to persuade the judge that that additional search is necessary.

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

WILMA B. LIEBMAN, CHAIRMAN

CRAIG BECKER, MEMBER

BRIAN E. HAYES, MEMBER