

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATIONAL LABOR RELATIONS
BOARD,

Applicant,

v.

PARK AVENUE INVESTMENT
ADVISOR, LLC,

Respondent.

CIVIL ACTION NO. 13-50651

DISTRICT JUDGE ARTHUR J. TARNOW

MAGISTRATE JUDGE R. STEVEN WHALEN

ORDER

Upon consideration of the Application for Order Enforcing Subpoena Duces Tecum pursuant to Section 11 of the National Labor Relations Act, 29 U.S.C. §161, I find that:

- a. The National Labor Relations Board's (Board) issuance of a subpoena duces tecum to procure evidence for the purpose of securing compliance with a Decision and Order and an Order mandate of the United States Court of Appeals for the Sixth Circuit, is within the lawful jurisdiction of the government authority seeking signed sworn testimony and documents covered by the subpoena duces tecum;
- b. There is reason to believe that the testimony being sought is relevant to a legitimate law enforcement inquiry; and
- c. There is reason to believe that Respondent's refusal to provide the signed sworn testimony and documents being sought will impede the unfair labor practice compliance proceeding in

Case 7-CA-060921 before the Board and is preventing the Board from carrying out its duties and functions under the Act.

Wherefore, it is ORDERED that Respondent shall comply with the Board subpoena No. B-708743 and appear before the Board to provide all the subpoenaed documents and signed sworn testimony.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Date: May 14, 2013

I hereby certify that a copy of this order has been sent to parties of record on May 15, 2013, electronically and/or by U.S. mail.

s/Michael Williams
Relief Case Manager for the Honorable
R. Steven Whalen