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September 18, 2017

Jim Tessier  
[REDACTED]  
[REDACTED]

**Re: ILWU (Jim Tessier); NLRB Case No. 19-CB-190139, et al.**

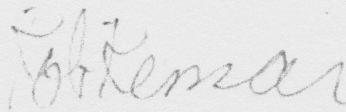
Dear Mr. Tessier,

Enclosed please find a subpoena that requires you to collect and bring with you to the trial in this case all the records that are listed in the Attachment to the Subpoena. Under the subpoena you are required to personally deliver all the requested documents at the start of the NLRB trial at 9 a.m. on Tuesday, October 24, 2017, at the James C. Sand Hearing Room, Jackson Federal Building, 915 Second Avenue, Seattle, Washington.

Also enclosed is a check in the amount of \$88.00 covering your witness fee and travel expenses, as required by the rules of civil procedure.

Should you have any questions or not understand anything about the subpoena, please call me to address them so that you are able to bring all the documents as required. Please note that federal law requires you to cooperate fully and in good faith with this subpoena.

Sincerely,



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Robert Remar,  
Counsel for Respondent ILWU

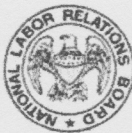
**SUBPOENA DUCES TECUM****UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD**To Jim TessierAs requested by Robert Remar, counsel for Respondent ILWUwhose address is 1188 Franklin St., 4<sup>th</sup> Floor, S.F. CA. 94109  
(Street) (City) (State) (ZIP)YOU ARE HEREBY REQUIRED AND DIRECTED TO APPEAR BEFORE An Administrative Law Judge  
of the National Labor Relations Boardat The James C. Sand Hearing Room, 2966 Jackson Federal Building, 915 Second Avenue  
in the City of Seattle, Washingtonon October 24, 2017 at 9 a.m. or any adjournedor rescheduled date to testify in International Longshore and Warehouse Union, Local 19 and International  
Longshore and Warehouse Union (Pacific Maritime Association)  
19-CB-190139  
(Case Name and Number)  
Pacific Maritime Association  
19-CA-195788

And you are hereby required to bring with you and produce at said time and place the following books, records, correspondence, and documents:

SEE ATTACHMENT

If you do not intend to comply with the subpoena, within 5 days (excluding intermediate Saturdays, Sundays, and holidays) after the date the subpoena is received, you must petition in writing to revoke the subpoena. Unless filed through the Board's E-Filing system, the petition to revoke must be received on or before the official closing time of the receiving office on the last day for filing. If filed through the Board's E-Filing system, it may be filed up to 11:59 pm in the local time zone of the receiving office on the last day for filing. Prior to a hearing, the petition to revoke should be filed with the Regional Director; during a hearing, it should be filed with the Hearing Officer or Administrative Law Judge conducting the hearing. See Board's Rules and Regulations, 29 C.F.R. Section 102.31(b) (unfair labor practice proceedings) and/or 29 C.F.R. Section 102.66(c) (representation proceedings) and 29 C.F.R. Section 102.111(a)(1) and 102.111(b)(3) (time computation). Failure to follow these rules may result in the loss of any ability to raise objections to the subpoena in court.

Under the seal of the National Labor Relations Board, and by direction of the Board, this Subpoena is

**B-1-Y1KF15**Issued at Seattle, WADated: August 31, 2017*Philip A. Miscimano*  
Chairman, National Labor Relations Board

**NOTICE TO WITNESS.** Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed. A witness appearing at the request of the General Counsel of the National Labor Relations Board shall submit this subpoena with the voucher when claiming reimbursement.

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is mandatory in that failure to supply the information may cause the NLRB to seek enforcement of the subpoena in federal court.



**Attachment to Subpoena No. B-1-Y1KF15 Issued to Jim Tessier**

Please bring with you to the hearing the following documents and records, including those in paper and electronic form:

1. All documents and records, including but not limited to emails and phone text messages, reflecting any statements made by any official, representative, or agent of ILWU, ILWU Local 19, any other ILWU local, or Pacific Maritime Association (PMA) as to any of the following matters:
  - a. The meaning of section 17.15 of the Pacific Coast Longshore and Clerks Agreement (PCL&CA);
  - b. Whether section 17.15 of the PCL&CA restricts in any way the filing of unfair labor practice charges with the NLRB;
  - c. Whether the longshore grievance procedure is the exclusive remedy with respect to any dispute;
  - d. Whether longshore employees have the right to file NLRB charges;
  - e. Any instructions that longshore employees not go outside the grievance process by filing NLRB charges; and/or
  - f. Any questioning or interrogation of longshore employees as to why they were going outside the grievance process by filing charges at the NLRB.
2. All documents and records, including but not limited to emails and phone text messages, reflecting any communication between you and any other person concerning any statements made by any official, representative or agent of ILWU, ILWU Local 19, any other ILWU local, or PMA as to any of the following matters:
  - a. The meaning of section 17.15 of the Pacific Coast Longshore and Clerks Agreement (PCL&CA);
  - b. Whether section 17.15 of the PCL&CA restricts in any way the filing of unfair labor practice charges with the NLRB;
  - c. Whether the longshore grievance procedure is the exclusive remedy with respect to any dispute;
  - d. Whether longshore employees have the right to file NLRB charges;
  - e. Any instructions that longshore employees not go outside the grievance process by filing NLRB charges; and/or
  - f. Any questioning or interrogation of longshore employees as to why they were going outside the grievance process by filing charges at the NLRB.
3. All documents and records, including but not limited to emails and phone text messages, reflecting any communication between you and any other person concerning any statements made by Richard Austin Jr. as to any of the following matters:

- a. The meaning of section 17.15 of the Pacific Coast Longshore and Clerks Agreement (PCL&CA);
  - b. Whether section 17.15 of the PCL&CA restricts in any way the filing of unfair labor practice charges with the NLRB;
  - c. Whether the longshore grievance procedure is the exclusive remedy with respect to any dispute;
  - d. Whether longshore employees have the right to file NLRB charges;
  - e. Any instructions that longshore employees not go outside the grievance process by filing NLRB charges; and/or
  - f. Any questioning or interrogation of longshore employees as to why they were going outside the grievance process by filing charges at the NLRB.
4. All documents and records, including but not limited to emails and phone text messages, concerning all unfair labor practice charges filed by or on behalf of any longshore employee against ILWU, any of its locals or PMA.
5. Copies, including PDF printouts of emails and texts, will be accepted subject to reservation of the right to request production and/or review of the originals.
6. Personal attendance at the hearing is required to authenticate and explain such documents and records.