

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 11-1034

DIPONIO CONSTRUCTION COMPANY, INC.,  
Plaintiff - Appellant,

v.

INTERNATIONAL UNION OF BRICKLAYERS  
AND ALLIED CRAFTWORKERS, LOCAL 9,  
Defendant - Appellee,NATIONAL LABOR RELATIONS BOARD,  
Intervenor-Appellee.

Before: SILER, ROGERS, and WHITE, Circuit Judges.

**JUDGMENT**On Appeal from the United States District Court  
for the Eastern District of Michigan at Detroit.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's decision to dismiss DiPonio's claims for lack of subject-matter jurisdiction and to award sanctions under Rule 11 is AFFIRMED. IT IS FURTHER ORDERED that the Union's motion for further sanctions is DENIED.

**ENTERED BY ORDER OF THE COURT**

Leonard Green, Clerk