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FEB 18 2009
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

10 Attorneys for Petitioner

11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 ALAN B. REICHARD, Regional Director
15 of the Thirty-Second Region of the
16 National Labor Relations Board
17 for and on behalf of the
18 NATIONAL LABOR RELATIONS BOARD

19 Petitioner,

20 v.

21 INTERNATIONAL LONGSHORE AND
22 WAREHOUSE UNION LOCAL 10

23 Respondent.

ADR
09-00705
MHP
) CIVIL No. C
) PROPOSED
) TEMPORARY
) INJUNCTION
)
)
)

24 This cause came to be heard upon the verified petition of Alan B. Reichard, Regional
25 Director of the Thirty-Second Region of the National Labor Relations Board, herein called the
Board, for and on behalf of said Board, for a Temporary Injunction pursuant to Section 10(l) of
the National Labor Relations Act, as amended, [29 U.S.C. sec. 160(l)], herein called the Act,
pending the final disposition of the matter herein involved now pending before said Board, and
upon issuance of an Order To Show Cause why injunctive relief should not be granted as prayed
in said Petition. All parties were afforded full opportunity to be heard thereon, and the Court,

1 upon consideration of the pleadings, affidavits, evidence, and briefs and argument of counsel,
2 and the entire record in the case, has made and filed its Findings of Facts and Conclusions of
3 Law, finding and concluding that the Regional Director has reasonable cause to believe, and a
4 likelihood of establishing, that International Longshore and Warehouse Union Local 10, herein
5 called Respondent, has engaged in, and is engaging in, acts and conduct in violation of Section
6 8(b)(4)(i)(ii)(D) of the Act, [29 U.S.C., §158(b)(4)(i)(ii)(D)], and that such acts and conduct will
7 likely be repeated unless enjoined.

8 Now, therefore, upon the entire record, it is

9 ORDERED, ADJUDGED AND DECREED that, pending the final disposition of the
10 matter here involved now pending before the National Labor Relations Board, the Petition for
11 Temporary Injunction should be, and hereby is, granted in the manner specifically set forth
12 below.

13 (a) Respondent, its officers, representatives, agents, servants, employees and all
14 members, persons and other labor organizations acting in concert or participation with it, be, and
15 hereby are, enjoined and restrained from:

16 (1) engaging in, inducing, or encouraging employees employed by ABF or any
17 person engaged in commerce or in an industry affecting commerce to engage in, a
18 strike or a refusal in the course of his employment to use, manufacture, process,
19 transport, or otherwise handle or work on any goods, articles, material, or
20 commodities or to perform any services at Pier 7 in Oakland, California, or any
21 other location, where an object thereof is to force ABF to assign work to
22 employees who are members of Respondent;

23 (2) threatening, coercing, or restraining ABF or any person engaged in commerce,
24 where an object thereof is to force ABF to assign work to employees who are
25 members of Respondent;

1 (b) Directing Respondent to take the following affirmative action:

2 (1) Post copies of the District Court's opinion and order at Respondent's
3 facilities where notices to employees/members are customarily posted,
4 said postings to be maintained during the pendency of the Board's
5 administrative proceedings free from all obstructions and defacements.

6 (2) Within 20 days of issuance of the District Court's order, file with the
7 District Court, with a copy submitted to Petitioner, a sworn affidavit from
8 a responsible official of Respondent, setting forth with specificity the
9 manner in which Respondent has complied with the terms of the District
10 Court's order, including how and when it posted the documents required
11 by the order.

12 (c) That the Court grant such other and further relief as may be just and proper.

13
14 DATED AT ^{San Francisco}, California, this 9th day of March 2009

