

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

NATIONAL LABOR RELATIONS BOARD)
)
Applicant)
)
v.)
MCD PLUMBING, INC. AND)
MICHAEL DIEBOLD, AN INDIVIDUAL)
)
Respondents)
)
and)
TELCO CONSTRUCTION, INC.)
)
Garnishee)
 _____)

Case No. 1:14-MC-00032

**ORDER FOR DISPOSITION OF FUNDS PURSUANT TO
GARNISHMENT**

A Writ of Garnishment directed to Garnishee Telco Construction, Inc. was issued on August 6, 2014, and served upon the Garnishee on August 12, 2014. Pursuant to the Writ of Garnishment, the Garnishee filed an Answer on or about August 20, 2014, stating that at the time of the service of the Writ, the Garnishee had in its possession, or under its control or possession, moneys or other property in the amount of \$9,065.18 in which Respondents maintained an interest when the Writ was served.

On or about August 15, 2014, the Respondents were notified of their right to a hearing and right to object to the Answer of the Garnishee. More than twenty (20) days has elapsed since the Respondents were notified, and the Respondents have not requested a hearing nor objected to the Answer of the Garnishee within the time provided by law.

IT IS THEREFORE ORDERED that Garnishee Telco Construction, Inc. pay to Petitioner National Labor Relations Board, the sum of \$9,065.18 plus any such additional sums up to a total of \$546,156 which have come into the possession or control of Garnishee since the date of service of the Writ of Garnishment, provide an accounting of such sums, and continue to honor the provisions of the Writ of Garnishment until the Respondents' debt to the Petitioner is paid in full, or until the Garnishee no longer has custody, possession or control of any moneys or property belonging to the Respondents, or until further order of this Court.

SO ORDERED.

Buffalo, New York
October 2, 2014

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court