

The Burger Court Opinion Writing Database

Machinists v. NLRB

412 U.S. 84 (1973)

Paul J. Wahlbeck, George Washington University

James F. Spriggs, II, Washington University

Forrest Maltzman, George Washington University



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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

May 3, 1973

Re: No. 71-1417 - Booster Lodge No. 405, etc.
v. NLRB

Dear Bill:

Please join me in your Per Curiam.

Regards,
WRB

Mr. Justice Rehnquist

Copies to the Conference

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U.S. SUPREME COURT ADVANCE

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM O. DOUGLAS

April 16, 1973

Dear Bill:

Please join me in your per curiam
in 71-1417, Machinists v. NLRB.

W W
William O. Douglas

Mr. Justice Rehnquist

cc: The Conference

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WD

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM O. DOUGLAS

May 1st, 1973

Dear Bill:

I had hoped to have my dissent
in No. 71-1417 - Booster Lodge v. NLRB -
around this week. It is in draft form
but will not be circulated probably until
May 7 or 8.

W. O. D.

Mr. Justice Rehnquist

cc: Conference

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

April 17, 1973

RE: No. 71-1417 Booster Lodge No. 405,
etc. v. National Labor Relations Bd.

Dear Bill:

I agree with the Per Curiam you have
prepared in this case.

Sincerely,

Bill

Mr. Justice Rehnquist

cc: The Conference

WD

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

April 17, 1973

Re: No. 71-1417, Machinists & Aerospace
Workers v. NLRB

Dear Bill,

I agree with the per curiam you have circulated
in this case. I see no reason why it should not be a signed
opinion.

Sincerely yours,

P.S.

Mr. Justice Rehnquist

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WJ

Joined
4/19

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

71-1607

April 25, 1973

Re: No. 71-1417 - Booster Lodge No. 405, etc.
v. NLRB

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Rehnquist

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

April 19, 1973

Re: No. 71-1417 - Booster Lodge, IAM v. NLRB

Dear Bill:

Please join me in your per curiam.

Sincerely,



T.M.

Mr. Justice Rehnquist

cc: Conference

wp

Received

On Writ of Certiorari
to the United States
Court of Appeals for
the District of Co-
lumbia Circuit.

*See 409 U. S., at 218-219 nn. 1 and 2.

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

April 18, 1973

Re: No. 71-1417 - Booster Lodge, etc. v. NLRB

Dear Bill:

In view of my dissent in Granite State, I must write a brief comment for this case. I shall endeavor not to delay you.

Sincerely,

Harry

Mr. Justice Rehnquist

Copies to the Conference

wp


CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

Supreme Court of the United States
Washington, D. C. 20543

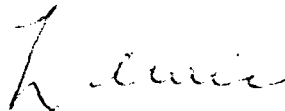
April 17, 1973

Re: No. 71-1417 Machinists & Aerospace
Workers v. NLRB

Dear Bill:

Please join me in your Per Curiam.

Sincerely,



Mr. Justice Rehnquist

cc: The Conference

wd

To: The Chief Justice
~~Mr. Justice Douglas~~
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall
Mr. Justice Blackmun
Mr. Justice Powell

1st DRAFT

From: Rehnquist, J.

SUPREME COURT OF THE UNITED STATES

No. 71-1417

Recirculated: _____

Booster Lodge No. 405, Inter-
national Association of Ma-
chinists and Aerospace
Workers, AFL-CIO,
Petitioner,
v.
National Labor Relations
Board et al.

On Writ of Certiorari
to the United States
Court of Appeals for
the District of Co-
lumbia Circuit.

[April —, 1973]

PER CURIAM.

In this companion case to *National Labor Relations Board v. The Boeing Company*, ante, — U. S. —, we must decide whether our decision in *National Labor Relations Board v. Granite State Joint Board*, — U. S. —, authorizes the Board to find that a union commits an unfair labor practice in seeking court enforcement of fines imposed for strikebreaking activities by employees who have resigned from the union, even though the union constitution expressly prohibits members from strikebreaking. We hold that it does.

On September 16, 1965, the day after the expiration of the collective bargaining agreement between Booster Lodge No. 405, International Association of Machinists and Aerospace Workers, AFL-CIO (the Union), and the Boeing Company (the Company), the Union called a lawful strike and picketed the Company's Michoud, Louisiana, plant to further its demands for a new contract. The strike continued for 18 days, during which time 143 of the 1,900 production and maintenance em-

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