

# The Burger Court Opinion Writing Database

*William E. Arnold Co. v. Carpenters*  
417 U.S. 12 (1974)

Paul J. Wahlbeck, George Washington University  
James F. Spriggs, II, Washington University  
Forrest Maltzman, George Washington University



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

CHAMBERS OF  
THE CHIEF JUSTICE

May 14, 1974

Re: 73-466 - Arnold v. Carpenters District Council  
of Jacksonville and Vicinity

Dear Bill:

Please join me.

Regards,

WEB

Mr. Justice Brennan

Copies to the Conference

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

CHAMBERS OF  
JUSTICE WILLIAM O. DOUGLAS

May 10, 1974

Dear Bill:

Please join me in your opinion for the Court in 73-466, Arnold v. Carpenters District Council of Jacksonville.

  
William O. Douglas

Mr. Justice Brennan

cc: The Conference

Cruciferous  
5-6-74

2nd DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 73-466

William E. Arnold Company, Petitioner.

v.  
Carpenters District Council  
of Jacksonville and Vi-  
cinity, Etc., et al.

On Writ of Certiorari to  
the Supreme Court of  
Florida.

[May - 1974]

MR. JUSTICE BRENNAN delivered the opinion of the Court.

The Florida Supreme Court held that the Florida District Court of Appeal erred in refusing to issue a writ of prohibition to restrain the Circuit Court for Duval County from exercising its jurisdiction over a suit within the purview of § 301 of the Labor Management Relations Act (LMRA).<sup>1</sup> The suit sought to enjoin respondent union's breach of a no-strike clause contained in a collective-bargaining agreement, which breach arguably is also an unfair labor practice under the Act. The State Supreme Court stated: "It is unquestionable that state courts do have jurisdiction to enforce a collective-bargaining agreement and to enjoin a strike in violation of a 'no-strike' clause contained therein, but not

<sup>1</sup> "Suits for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce as defined in this chapter, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties." 61 Stat. 156, 29 U. S. C. § 185 (a).

*Circulated  
5-9-74*

**3rd DRAFT**

**SUPREME COURT OF THE UNITED STATES**

**No. 73-466**

William E. Arnold Company, Petitioner,  
*v.*  
Carpenters District Council of Jacksonville and Vicinity, Etc., et al. } On Writ of Certiorari to the Supreme Court of Florida.

[May —, 1974]

MR. JUSTICE BRENNAN delivered the opinion of the Court.

The Florida Supreme Court held that the Florida District Court of Appeal erred in refusing to issue a writ of prohibition to restrain the Circuit Court for Duval County from exercising its jurisdiction over a suit within the purview of § 301 of the Labor Management Relations Act (LMRA).<sup>1</sup> The suit sought to enjoin respondent union's breach of a no-strike clause contained in a collective-bargaining agreement, which breach arguably is also an unfair labor practice under the Act. The State Supreme Court stated: "It is unquestionable that state courts do have jurisdiction to enforce a collective-bargaining agreement and to enjoin a strike in violation of a 'no-strike' clause contained therein, but not

<sup>1</sup> "Suits for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce as defined in this chapter, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties." 61 Stat. 156, 29 U. S. C. § 185 (a).

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

CHAMBERS OF  
JUSTICE POTTER STEWART

May 6, 1974

Re: No. 73-466, William E. Arnold Co.  
v. Carpenters

Dear Bill,

I am glad to join your opinion for the Court in  
this case.

Sincerely yours,

P.S.  
i

Mr. Justice Brennan

Copies to the Conference

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

CHAMBERS OF  
JUSTICE BYRON R. WHITE

May 8, 1974

Re: No. 73-466 - William E. Arnold Co. v.  
Carpenters District Council

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Brennan

Copies to Conference

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

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

May 7, 1974

Re: No. 73-466 -- William E. Arnold Co. v.  
Carpenters District Council of Jacksonville  
and Vicinity, Etc., et al.

Dear Bill:

Please join me.

Sincerely,



T. M.

Mr. Justice Brennan

cc: The Conference

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

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

May 7, 1974

Dear Bill:

Re: No. 73-466 - William E. Arnold Co. v.  
Carpenters District Council

Please join me.

Sincerely,



Mr. Justice Brennan

Copies to the Conference

Supreme Court of the United States

Washington, D. C. 20543

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

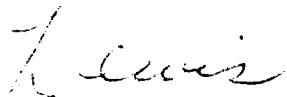
May 8, 1974

No. 73-466 Arnold v. Carpenters District Council

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Brennan

CC: The Conference

LFP/gg

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

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

May 17, 1974

Re: No. 73-466 - William E. Arnold Co. v. Carpenters  
District Council

Dear Bill:

I mistakenly thought I joined your opinion some time ago. Please join me.

sincerely,

WW

Mr. Justice Brennan

Copies to the Conference