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NASH. CIVIL DOCKET NO. 10
UNITED STATES DISTRICT COURT

4272

Jury demand date:

D. C. Form No. 106A Rev.

APPEALED by Pltff. 3-28-66; D/C Affirmed

JUDGE GRAY

TITLE OF

CLOSED

ATTORNEYS

AVCO CORPORATION

-vs-

AERO LODGE NO. 735, INT'L ASSN. OF MACHINIST AND AEROSPACE WORKERS;
JAMES F. ENOCH, Indv & Bus. Rep., Lodge 735;
C.H. KEEN, Indv & Pres. ;
R. E. DEARMON, Indv. & V.P. ;
J. W. UNDERWOOD, Indv.-Recording Sec. ;
C.W. WARREN, T.F. JOLLY, W.F. BUTTREY, H. R. MURRAY, Indv. & members Grievance Committee;
JAMES E. SHARER, WILLIAM T. DUNN, Indv. & Representatives class composed of all members of all committees; and
MICHAEL T. ALLEN, JAMES M. BAKER, CULLEY E. BARNHILL, THOMAS M. BRATCHER, DAVID O. BRILEY, MARY M. BROWN, WILLIAM K. BROWN, RICHARD G. BUCKNER, JOHNNIE P. CHARLTON, KATHLEEN DAINGERFIELD, and FLODA M. DAVIS, Indv. and as members of Lodge No. 735, and as representatives of the class engaged in activities alleged herein.

BASIS OF ACTION: Removal Proceedings.
Labor Management Relations Act Para. 301
29 USC Paga 185.
Alleged violation of contract.

For plaintiff:
Waller, Lansden & Dortch
Robert G. McCullough
American Trust Building
Nashville, Tennessee

Naphin, Sullivan & Banta (11-18-65)
105 West Adams Street
Chicago, Illinois 60603

For defendant:
Cecil D. Branstetter
216 Third Ave., N., Nashville, Tennessee

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 11-5-65	Clerk	11-5-65	Cecil Branstetter	15 00	
J.S. 6 mailed 3/2/66	Marshal	11-12-65	<i>See 2078</i>		15.00
Basis of Action:	Docket fee	3-28-66	<i>Wm. Waller</i>	5.00	
	Witness fees	3-31-66	<i>See 20102</i>		5.00
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-5-65	Petition for Removal, Removal Bond, copies of Declaration and Summons, Notice to Clerk, Chancery Court, Davidson County, Tenn. and Notice to Plaintiff's attorneys, filed.	
11-12-65	Defendants' Motion to Dismiss with supporting brief filed, certificate of service attached.	
11-18-65	Plaintiff's Motion to Remand and Brief in Support of Motion, with certificate of service, filed.	
1-13-66	Memorandum Brief in Opposition to Plaintiff's Motion to Remand filed by defendants, certificate of service attached.	
1-26-66	*MOTION for Issuance of Order to Show Cause and for Contempt Judgment, with Affidavit of Burton H. Marshall, Sr., attached, - filed by the Plaintiff, Avco Corporation. (- Proposed Order to Show Cause attached and lodged with the Clerk of Court)	
2-1-66	Response to Plaintiff's Motion to Remand, Memorandum Brief in Support of Defendant's Response, certificates of service attached, filed on behalf of defendants.	
2-1-66	Memorandum of Plaintiff in Reply to Defendant's Brief on Motion to Remand filed, certificate of service attached.	
2-2-66	Motion to Amend Previous Motion to dissolve temporary injunction and dismiss case, with Memorandum Brief in Support of Motion to Amend, filed on behalf of defendants. Certificates of service attached.	
3-2-66	Order Entered: Plaintiff's Motion to Remand, denied; Defendant's Motion to Dismiss, denied; Injunction heretofore issued is dissolved. (Attested copy to attorneys of record)	
3-8-66	Plaintiffs' Motion for Reconsideration, Exhibit A attached; and Brief in Support of Motion, with certificates of service, filed.	
3-23-66	Order entered pursuant to hearing on March 17, 1966: Motion for re-consideration of order of March 2, 1966, Denied. Attested copy to attorneys of record.	
3-28-66	Notice of Appeal from the Orders entered March 2, 1966 and March 23, 1966 filed on behalf of Avco Corp., plaintiff, with Bond for Costs on Appeal. Attested copy of Notice mailed to Cecil D. Branstetter.	
4-20-66	Record on Appeal, with \$25.00 check submitted by Waller, Lansden & Dortch, mailed to 6TH C. C. A.; copies of Clerk's Certificate & Index and Docket Entries mailed to Robert G. McCullough, Esq., Naphin, Sullivan & Banta, and Cecil D. Branstetter.	
4-25-66	Receipt of Record on Appeal acknowledged by 6th C. C. A., their Docket No. 17207.	
5-24-67	Opinion and Judgment of the 6th C. C. A. Entered: Judgment of the District Court affirmed; Deft-Appellees to recover costs (none).	
10-19-67	Entered: Supreme Court of the U.S. Order Allowing Certiorari - case placed on summary calender, certified copy of transcript of proceedings (6th CCA) which accompanied petition treated as though filed in response to writ (U.S. Supreme Court No. 445 Oct. Term 1967)	

AVCO CORPORATION vs. AERO LODGE NO. 735 IAWAW, ET AL

D. C. 110A Rev. Civil Docket Continuation Sheet No. 2.

6

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-23-68	Entered - Supreme Court Opinion and Judgment: Judgment of the United States Court of Appeals affirmed; cause remanded to the U. S. District Court for the Middle District of Tennessee.	

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