

APPENDIX A 10(j) REPORT

From: 6/1/2001 To:12/31/2005

	Total Cases in Category	Pending Pre- Petition	Settled Pre- Petition	Settled Post- Petition	Won - Whole or in Part	Lost	Not Filed or Withdrawn	Pending Post- Petition
1. Interference with Organizational Campaign (no Majority)	11	0	3	2	4	1	1	0
2. Interference with Organizational Campaign (Majority)	9	0	1	1	5	0	1	1
3. Subcontracting or Other Change to Avoid Bargaining Obligation	1	0	0	1	0	0	0	0
4. Withdrawal of Recognition from Incumbent	14	1	1	1	7	2	2	0
5. Undermining of Bargaining Representative	5	0	0	3	2	0	0	0
6. Minority Union Recognition	10	0	5	0	3	0	1	1
7. Successor Refusal to Recognize and Bargain	9	2	0	1	4	0	1	1
8. Conduct during Bargaining Negotiations	8	0	0	1	3	0	4	0
9. Mass picketing and violence	0	0	0	0	0	0	0	0
10. Notice Requirements for Strikes or Picketing (Section 8 (d) and 8 (g))	0	0	0	0	0	0	0	0
11. Refusal to permit protected activity on property	0	0	0	0	0	0	0	0
12. Union coercion to achieve unlawful object	0	0	0	0	0	0	0	0
13. Interference with access to Board processes	0	0	0	0	0	0	0	0
14. Segregating assets	3	0	0	1	1	1	0	0
15. Miscellaneous	0	0	0	0	0	0	0	0
Totals	70	2	10	11	29	4	10	3

APPENDIX B - LIST OF CATEGORIES IN
WHICH 10(j) INJUNCTIONS WERE
AUTHORIZED

From: 6/1/2001 To: 12/31/2005

Category 1 -- Interference with Organizational Campaign (no majority)

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. FLEMING COMPANIES, INC.	13-CA-39548	12/31/2001	8(a)(1) 8(a)(3)	Settled Post-Petition	
2. JACK IN THE BOX DISTRIBUTION CENTER SYSTEMS	19-CA-27597	06/28/2002	8(a)(1) 8(a)(3)	Won	C 02-1400R (W.D. WASH.) (J. ROTHSTEIN), 8/7/2002
3. SUNSHINE PIPING, INC.	15-CA-16530	08/19/2002	8(a)(1) 8(a)(3)	Lost	238 F. Supp. 2d 1297 (N.D. Fla. 2002) (J. VINSON), 12/26/2002
4. POINT BLANK BODY ARMOR, INC.	12-CA-22383	11/26/2002	8(a)(1) 8(a)(3)	Won	2003 WL 253063 (S.D. FLA.) (J. MARRA), 1/30/2003
5. ST. MARY MEDICAL CENTER	31-CA-25739	03/28/2003	8(a)(1) 8(a)(3)	Won	ED CV 03-00351-VAP(SGLx) (C.D. CA.) (J. PHILLIPS), 5/9/2003

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From: 6/1/2001 To: 12/31/2005

Category 1 -- Interference with Organizational Campaign (no majority)

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
6. ST. CLAIR DIE CASTING, LLC	14-CA-27287	07/18/2003	8(a)(1) 8(a)(3)	Settled Pre-Petition	
7. CLINE, DAVIS & MANN	02-CA-35171	10/01/2003	8(a)(1) 8(a)(3)	Settled Post-Petition	
8. VICTOR L. ROBILIO COMPANY, INC.	26-CA-21243	11/26/2003	8(a)(1)	Settled Pre-Petition	
9. E.L.C. ELECTRIC, INC.	25-CA-28270	01/22/2004	8(a)(1) 8(a)(3)	Won	2004 WL 2137644, 1:04-CV-0123-JDT-TAB (S.D. IND. INDIANAPOLIS DIV.) (J. TINDER), 6/29/2004
10. THE ANTHEM, LLC	02-CA-36229	01/14/2005	8(a)(1) 8(a)(3) 8(a)(4) 8(a)(1) 8(a)(3) 8(a)(4)	Withdrawn	

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From: 6/1/2001 To: 12/31/2005

Category 1 -- Interference with Organizational Campaign (no majority)

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
11. WATERMELONS PLUS, INC. AND WINGS TRUCKING, INC.	29-CA-26833	08/12/2005	8(a)(1) 8(a)(3)	Settled Pre-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 2 -- Interference with Organizational Campaign (majority)

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. ASHLAND CONSTRUCTION COMPANY, INC.	18-CA-16145	01/15/2002	8(a)(1) 8(a)(3) 8(a)(5)	Won	190 F.Supp. 2d 1164 (W.D. WIS. 2002) (J. CRABB), 2/26/2002
2. AMBASSADOR WHEELCHAIR SERVICES, INC.	34-CA-10176	12/11/2002	8(a)(1) 8(a)(3) 8(a)(4) 8(a)(5)	Won	3:02CV2198 (RNC) (D. CONN.) (J. CHATIGHY), 5/9/2003
3. DAN VALDES D/B/A PROFESSIONAL PAINTING	20-CA-30852	03/07/2003	8(a)(1) 8(a)(3) 8(a)(5)	Not Filed - Changed Circumstances	
4. T-WEST SALES AND SERVICE D/B/A DESERT TOYOTA	28-CA-18478	09/22/2003	8(a)(1) 8(a)(3) 8(a)(4) 8(a)(5)	Won	CV-S-03-1275-LRH (PAL) (D. NEV.) (2/20/04) (J. HICKS), as amended, 5/21/2004
5. H H 3 TRUCKING, INC.	33-CA-14374	11/12/2003	8(a)(1) 8(a)(3) 8(a)(5)	Won	03 C 50494 (N.D. Ill. WESTERN DIV.) (J. REINHARD), 12/9/2003

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From: 6/1/2001 To: 12/31/2005

Category 2 -- Interference with Organizational Campaign (majority)

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
6. EVERGREEN AMERICA CORPORATION	22-CA-25295	02/10/2004	8(a)(1) 8(a)(3)	Pending Post-Petition	
7. NATIONAL STEEL SUPPLY	02-CA-36457	12/15/2004	8(a)(1) 8(a)(3)	Won	04 Civ. 10110 (S.D.N.Y.)(consent), 1/19/2005
8. UNITED SCRAP METAL	13-CA-41743	01/28/2005	8(a)(1) 8(a)(3)	Settled Pre-Petition	
9. OCEAN DESERT SALES	04-CA-33614	07/06/2005	8(a)(1) 8(a)(3)	Settled Post-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 3 -- Subcontracting or Other Change to Avoid Bargaining Obligation

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. CROWN CORK AND SEAL COMPANY, INC.; AND TRANSPERSONNEL,	05-CA-31325	12/12/2003	8(a)(1) 8(a)(3) 8(a)(5)	Settled Post-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 4 -- Withdrawal of Recognition from Incumbent

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. GFC CRANE CONSULTANTS, INC.	12-CA-21302	11/19/2001	8(a)(1) 8(a)(3) 8(a)(5)	Won	01-7809-SEITZ/GARDNER (S.D. FLA.) (J. SEITZ), 1/11/2002
2. RESCARE, INC. D/B/A VOCA CORPORATION	09-CA-38751	04/19/2002	8(a)(1) 8(a)(5)	Withdrawn	
3. COMMERCIAL CABINETS, INC.	07-CA-45023	08/19/2002	8(a)(1) 8(a)(3) 8(a)(5)	Lost	02-73420 (E.D. MICH. SO. DIV.) (J. EDMONDS), 10/24/2002
4. CUTTER OF MAUI, INC.	37-CA-06057	09/24/2002	8(a)(1) 8(a)(3) 8(a)(5)	Withdrawn	
5. CHAMPION ENTERPRISES, INC. D/B/A CHAMPION HOME BUILDERS	32-CA-19152	07/18/2003	8(a)(1) 8(a)(5)	Won	CV-F-03-5987 REC/SMS (E.D. CA.) (J. Coyle), 8/22/2003

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Category 4 -- Withdrawal of Recognition from Incumbent

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
6. HEARTLAND HEALTH CARE CENTER D/B/A PLYMOUTH COURT	07-CA-46017	08/22/2003	8(a)(1) 8(a)(5)	Won	333 F. Supp.2d 607 (E.D. MICH. SOUTHERN DIV.) (J. HOOD), 11/13/2003
7. H & N FOODS INTERNATIONAL	20-CA-30480	08/27/2003	8(a)(1) 8(a)(5)	Won	C-03-4002 CW (N.D. CA.) (J. WILKEN), 10/17/2003
8. LANEKO ENGINEERING CO., INC.	04-CA-31660	11/14/2003	8(a)(1) 8(a)(2) 8(a)(5)	Won	174 LRRM 2395 (E.D. PA.) (J. SHAPIRO), 12/23/2003
9. EAD MOTORS EASTERN AIR DEVICES, INC.	01-CA-40651	12/31/2003	8(a)(1) 8(a)(2) 8(a)(5)	Won	175 LRRM 2441 (D. N.H.) (J. MCAULIFFE), 7/22/2004
10. HCM, INC.	26-CA-21484	04/16/2004	8(a)(1) 8(a)(3) 8(a)(5)	Settled Pre-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 4 -- Withdrawal of Recognition from Incumbent

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
11. DUANE READE, INC.	02-CA-35441	01/07/2005	8(a)(1) 8(a)(5) 8(a)(1) 8(a)(5)	Partial Win	Case No. 05 Civ. 0643 (WHP) (S.D.N.Y.)(J. PAULEY), 6/8/2005
12. KINDRED HEALTHCARE, INC. d/b/a MOUNTAIN VALLEY CARE	19-CA-29390	02/16/2005	8(a)(1) 8(a)(5)	Settled Post-Petition	
13. AMERICAN CHURCH, INC.	08-CA-35126	03/21/2005	8(a)(1) 8(a)(5)	Lost	Case No. 1:05-cv-00797-DCN Judge Nugent, 6/9/2005
14. YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF WESTERN MASSAC	01-CA-42618	11/25/2005	8(a)(1) 8(a)(5)		

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From: 6/1/2001 To: 12/31/2005

Category 5 -- Undermining of Bargaining Representative

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. TAPCO PRODUCTS	07-CA-44484	04/25/2002	8(a)(1) 8(a)(3) 8(a)(5)	Settled Post-Petition	
2. CONTINENTAL COAL, INC.	17-CA-21743	11/26/2002	8(a)(1) 8(a)(3) 8(a)(5)	Settled Post-Petition	
3. BENTON FRANKLIN HEAD START	19-CA-28216	12/16/2002	8(a)(1) 8(a)(3)	Settled Post-Petition	
4. CHINATOWN CARTING CORP.	02-CA-34613	09/05/2003	8(a)(1) 8(a)(3) 8(a)(4) 8(a)(5)	Won	290 F. Supp.2d 386 (S.D.N.Y.) (J. MARRERO), 9/30/2003
5. EL PASO ELECTRIC COMPANY	28-CA-19551	02/15/2005	8(a)(1) 8(a)(3) 8(a)(5)	Partial Win	Case No. EP-05-CA-61 (KC) (W.D. TEX. EL PASO DIV.)(J. CARDONE), 6/7/2005

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From: 6/1/2001 To: 12/31/2005

Category 6 -- Minority Union Recognition

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. PLANNED BUILDING SERVICES, INC. AND LOCAL 11	02-CA-33055	09/20/2001	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Settled Pre-Petition	
2. FRONTIER TELEPHONE OF ROCHESTER, INC.	03-CA-23502	09/13/2002	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A)	Withdrawn	
3. LAFARGE NORTH AMERICA, INC., CHICAGO SLAG	13-CA-39980	05/13/2003	8(a)(1) 8(a)(2) 8(a)(3)	Won	286 F. Supp.2d 1002 (N.D. IND.) (J. LOZANO), 9/4/2003
4. DURA ART STONE, INC.	31-CA-26009	06/30/2003	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Won	298 F.Supp.2d 905(C.D. CA. 2003) (J. TIMLIN), 8/13/2003
5. HPR LINK LOGISTICS; NATIONAL ALLIED WORKERS UNION, LOCA	13-CA-41257	12/04/2003	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Settled Pre-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 6 -- Minority Union Recognition

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
6. DAIRYLAND USA CORPORATION					
	02-CA-35632	05/06/2004	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Partial Win	04 Civ. 3588 (AKH) (S.D.N.Y.) (J. HELLERSTEIN), 6/4/2004
7. STAR AUTO SALES OF QUEENS VILLAGE					
	29-CA-25617	05/07/2004	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Settled Pre-Petition	
8. EXEL, INC., AUTO SECTOR					
	07-CA-47926	05/12/2005	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2) 8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Settled Pre-Petition	
9. EXEL, INC., AUTO SECTOR					
	34-CA-10951	05/12/2005	8(a)(1) 8(a)(2) 8(a)(3) 8(b)(1)(A) 8(b)(2)	Settled Pre-Petition	
10. HEALTHCARE SERVICES GROUP, INC.					
	03-CA-25351	10/19/2005	8(a)(1) 8(a)(2) 8(b)(1)(A)	Pending Post-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 7 -- Successor Refusal to Recognize and Bargain

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. PROFESSIONAL TRANSPORTATION, INC.	12-CA-21347	08/29/2001	8(a)(1) 8(a)(2) 8(a)(5) 8(b)(1)(A)	Settled Post-Petition	
2. PRECISION GAGE-DEARBORN, LLC	07-CA-44572	09/13/2002	8(a)(1) 8(a)(5)	Won	2003 WL 22140116 (E.D. MICH. SO. DIV.) (J. BORMAN), 11/21/2002
3. INTERREGIONAL DISPOSAL & RECYCLING, INC.	22-CA-25305	03/28/2003	8(a)(1) 8(a)(2) 8(a)(3) 8(a)(5)	Won	03-1442(WHW)(D.N.J.) (J. WALLS), 4/23/2003
4. NORTH HILLS OFFICE SERVICES	22-CA-25399	05/13/2003	8(a)(1) 8(a)(2) 8(a)(5) 8(b)(1)(A)	Won	03-CV-2320 (JAG) (D.N.J.) (J. GREENAWAY, JR.), 7/22/2003
5. NEW CONCEPT SOLUTIONS, LLC	05-CA-30312	11/26/2003	8(a)(1) 8(a)(2) 8(a)(3) 8(a)(5)	Withdrawn	

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From: 6/1/2001 To: 12/31/2005

Category 7 -- Successor Refusal to Recognize and Bargain

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
6. HANCOCK LUMBER, LLC	03-CA-25058	07/13/2005	8(a)(1) 8(a)(5)	Won	1:05-MC-67 (N.D.N.Y.)(J. HURD), 9/9/2005
7. ROHRICH AUTO ENTERPRISES, INC.	06-CA-34510	10/19/2005	8(a)(1) 8(a)(5)	Pending Post-Petition	
8. WINDSOR GARDENS OF NORTH LONG BEACH, ET AL.	21-CA-36422	11/02/2005	8(a)(1) 8(a)(3) 8(a)(5)		
9. MARINE SPILL RESPONSE CORPORATION	21-CA-36663	11/07/2005	8(a)(1) 8(a)(5)		

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From: 6/1/2001 To: 12/31/2005

Category 8 -- Conduct during Bargaining Negotiations

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. MCKESSON HBOC, INC.	21-CA-34542	08/28/2001	8(a)(1) 8(a)(5)	Withdrawn	CV01-07567(GAF)(CWx)(C.D. CA.) (J. FEESS), vacated 01-56947 (9th Cir. 2002), 9/18/2001
2. SEVEN SEVENTEEN HB BUFFALO CORPORATION	03-CA-23307	03/25/2002	8(a)(1) 8(a)(5)	Withdrawn	
3. WANEX ELECTRICAL SERVICES, INC.	05-CA-30202	07/15/2002	8(a)(1) 8(a)(5)	Not Filed - Changed Circumstances	
4. SHADOW PLASTICS, INC.	18-CA-16234	11/18/2002	8(a)(1) 8(a)(3) 8(a)(4) 8(a)(5)	Not Filed - Changed Circumstances	
5. RENZENBERGER, INC.	20-CA-31176	07/29/2004	8(a)(1) 8(a)(3) 8(a)(5)	Won	CIV. S-04-1518 WBS PAN (E.D. CA.) (J. SHUBB), 9/16/2004

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From: 6/1/2001 To: 12/31/2005

Category 8 -- Conduct during Bargaining Negotiations

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
6. PARK AVENUE STORAGE CORPORATION	22-CA-26181	10/22/2004	8(a)(1) 8(a)(5) 8(a)(1) 8(a)(5)	Won	Civil No. 04-5251 (JAP) (D. N.J.)(consent), 12/20/2004
7. DISH NETWORK	29-CA-26129	01/19/2005	8(a)(1) 8(a)(3) 8(a)(4) 8(a)(5)	Won	CV 05-725 (E.D.N.Y.), 8/18/2005
8. CONSEJO DE SALUD	24-CA-10059	08/16/2005	8(a)(1) 8(a)(5)	Settled Post-Petition	

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From: 6/1/2001 To: 12/31/2005

Category 9 -- Mass Picketing and Violence

Litigation Result
and/or Pre-trial
Disposition

Citation
to Court
Litigation

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved
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No Records Found for this Category

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From: 6/1/2001 To: 12/31/2005

Category 10 -- Notice Requirements for Strikes or Picketing (Section 8(d) and 8 (g))

Litigation Result
and/or Pre-trial
Disposition

Citation
to Court
Litigation

Case Name Case Number Date of Board
Authorization Sections of Act
Involved

No Records Found for this Category

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From: 6/1/2001 To: 12/31/2005

Category 11 -- Refusal to Permit Protected Activity on Property

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
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No Records Found for this Category

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From: 6/1/2001 To: 12/31/2005

Category 12 -- Union Coercion to Achieve Unlawful Object

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
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No Records Found for this Category

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From: 6/1/2001 To: 12/31/2005

Category 13 -- Interference with Access to Board Processes

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
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No Records Found for this Category

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From: 6/1/2001 To: 12/31/2005

Category 14 -- Segregating Assets

Case Name	Case Number	Date of Board Authorization	Sections of Act Involved	Litigation Result and/or Pre-trial Disposition	Citation to Court Litigation
1. SPSC D/B/A SOUTHWEST PORCELAIN STEEL CO.	17-CA-21117	06/05/2002	8(a)(1) 8(a)(3) 8(a)(5)	Settled Post-Petition	
2. SOUTH COAST REFUSE CORP.	21-CA-32555	07/26/2002	8(a)(1) 8(a)(3) 8(a)(5)	Won	CV-02-6258 AHM(JTLx) (C.D. CA.) (J. MATZ), 10/10/2002
3. A.J. MECHANICAL, INC.	15-CA-15350	09/13/2002	8(a)(1) 8(a)(3) 8(a)(5)	Lost	3:02-CV-918-J-32 HTS (M.D. FLA.) (J. CORRIGAN), 2/19/2003

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From: 6/1/2001 To: 12/31/2005

Category 15 -- Miscellaneous

Litigation Result
and/or Pre-trial
Disposition

Citation
to Court
Litigation

Case Name Case Number Date of Board
Authorization Sections of Act
Involved

No Records Found for this Category

Total: 70