

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-1124**September Term, 2018**
FILED ON: AUGUST 21, 2020INTERNATIONAL LONGSHORE & WAREHOUSE UNION,
PETITIONER

v.

NATIONAL LABOR RELATIONS BOARD,
RESPONDENTEAST BAY AUTOMOTIVE MACHINISTS LODGE NO. 1546, ET AL.,
INTERVENORS

Consolidated with 18-1168

On Petition for Review and Cross-Application
for Enforcement of Orders of
the National Labor Relations Board

Before: GARLAND and KATSAS, *Circuit Judges*, and WILLIAMS*, *Senior Circuit Judge*

J U D G M E N T

These causes came on to be heard on the petition for review and cross-application for enforcement of orders of the National Labor Relations Board and were argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the petition for review with respect to the Board's final order be granted and the final order be set aside; the petition for review with respect to the Board's refusal to set aside the partial settlement be dismissed as moot; the Board's cross-application for enforcement be denied; and the case be remanded for further proceedings, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy
Deputy Clerk

Date: August 21, 2020

Opinion for the court filed by Circuit Judge Katsas.

* The late Senior Circuit Judge Williams was a member of the panel at the time the case was argued and participated in its consideration before his death on August 7, 2020. Because he died before the issuance of the opinion, his vote was not counted. *See Yovino v. Rizo*, 139 S. Ct. 706, 710 (2019). Judges Garland and Katsas have acted as a quorum with respect to the opinion and this judgment. *See* 28 U.S.C. § 46(d).