

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARL E. BISHOP, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	03-344 (GK)
INTERNATIONAL ASSOCIATION OF)	
BRIDGE, STRUCTURAL,)	
ORNAMENTAL AND REINFORCING)	
IRON WORKERS,)	
)	
Defendant.)	
)	

O R D E R

_____ Plaintiffs, Carl E. Bishop and Oscar Ingram, members of Atlanta Local 387 ("Local"), bring suit against the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers ("International"), which controls the Local under a trusteeship. Plaintiffs allege that certain provisions of the International's constitution violate their rights to free speech and to sue under Title I of the Labor Management Reporting and Disclosure Act of 1959 ("LMRDA"), 29 U.S.C. § 411, et seq.. They also allege that the International's disciplinary procedures violate their right to due process under Title I of the LMRDA.

This matter is before the Court on Plaintiffs' Motion for Summary Judgment. Upon consideration of the Motion, Opposition, Reply, and the entire record herein, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that Plaintiffs' Motion for Summary Judgment [#7] is **granted**; it is further

ORDERED and DECLARED that the following provisions of the International's constitution are unlawful: (1) paragraphs 4, 6, and 7 of Article XIX, Section 10; (2) the prohibition on discussing union matters with outsiders in Article XXVI, Section 18; and (3) the third and fourth sentences of Article XIX, Section 4; it is further

ORDERED that the International shall be enjoined from applying these provisions to discipline union members in any manner; it is further

ORDERED that the International shall remove these provisions from all future printings of its constitution; it is further

ORDERED that the International shall publish a notice of this decision in its newsletter "The Ironworkers," in order to ensure that its members understand the full scope of their rights; it is further

ORDERED that the International's disciplinary procedures violate Plaintiffs' right to due process under § 101(a)(5) of the LMRDA.

March 1, 2004

_____/s/_____
Gladys Kessler
U.S. District Judge

Copies to: attorneys on record via ECF

