

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI

Peabody Coal Co. v. Barnes

308 F. Supp. 902 (E.D. Mo. 1969) · Decided December 3, 1969

SUMMARY

The court dissolved a temporary restraining order issued by a Missouri state court before removal in a labor dispute involving picketing, seniority, and a collective bargaining agreement. It held that the order was broader than the factual allegations supported and that leaving it in effect would effectively grant an injunction that the federal court could not have issued under the Norris-LaGuardia Act. The court also noted the absence of allegations of violence, fraud, or other unlawful conduct and the lack of a prompt hearing request after removal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri
WRITING FOR THE COURT	John W. Oliver Regan
JURISDICTION	Missouri
DECIDED	December 3, 1969
DISPOSITION	other
PROCEDURAL POSTURE	After removal from the Circuit Court of Randolph County, Missouri, defendants moved to dissolve a state-court ex parte temporary restraining order. The federal court granted the motion and dissolved the restraining order.
PRECEDENTIAL VALUE	published federal district court opinion
PARTIES	Peabody Coal Co. v. Barnes, United Mine Workers of America, Local 7688, class defendants

TOPICS

- injunctions
- labor law
- civil procedure
- arbitration

PRACTICE AREAS

- labor law
- civil procedure
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- arbitration
- contracts

QUESTIONS PRESENTED

1. Whether the Norris-LaGuardia Act categorically prohibited the federal court from maintaining or issuing injunctive relief in a labor dispute.
2. Whether the state-court temporary restraining order was broader than warranted by the petition's factual allegations and enjoined conduct that a federal court lacked power to enjoin under the Norris-LaGuardia Act.
3. Whether the removed state-court restraining order should be dissolved after remaining in effect for approximately two and a half months without notice, an opportunity to be heard, or a requested federal hearing.

HOLDINGS

1. The Norris-LaGuardia Act does not prohibit every injunction merely because a labor dispute is involved; its restrictions are governed by the circumstances and limitations specified in 29 U.S.C. § 107.
2. The temporary restraining order was broader than warranted by the petition and, in practical effect, enjoined conduct that a federal court lacked power to enjoin under 29 U.S.C. § 103.
3. Although the state-court temporary restraining order remained in force after removal under 28 U.S.C. § 1450 until dissolved by the federal court, it had to be dissolved because maintaining it would effectively grant an injunction that the federal court could not have issued initially.

KEY QUOTATIONS

“The Norris-LaGuardia Act does not prohibit all injunctions simply because a labor dispute is involved.”
(308 F. Supp. at 903)

“In view of all the circumstances, and in the light of the vague and conclusionary allegations of the present petition, we have concluded that the temporary restraining order issued by the Circuit Court of Randolph County should be and it is now dissolved effective forthwith.” (308 F. Supp. at 904)

FACTUAL BACKGROUND

Peabody Coal operated the Bee Veer Mine and a newly opened Prairie Hill Mine, both partly located in Randolph County, Missouri. A collective bargaining agreement with members of United Mine Workers of America, Local 7688, contained a grievance procedure culminating in arbitration for local disputes. After the Prairie Hill Mine opened, the parties disputed whether it was a separate operation or within Local 7688's jurisdiction, and the defendants allegedly congregated or picketed at the mine entrance, causing employees to refuse to work there.

PROCEDURAL HISTORY

Peabody Coal filed the action in Missouri state court on September 16, 1969. The state court issued an ex parte restraining order and set a show-cause hearing regarding a temporary injunction. Defendants removed the action to the Eastern District of Missouri on October 6, 1969, preventing the scheduled hearing. No application for a federal hearing on the requested temporary injunction was made, and defendants moved to dissolve the restraining order under the Norris-LaGuardia Act and Federal Rule of Civil Procedure 65(b).

DISPOSITION

other

CASES CITED

- General Electric Co. v. Local Union 191, 413 F.2d 964 (5th Cir. 1969)

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