

08-1214 GRANITE ROCK COMPANY V. INT'L BROTHERHOOD OF TEAMSTERS

DECISION BELOW:546 F.3d 1169

LOWER COURT CASE NUMBER: 07-15040, 07-16142, 07-16236

QUESTIONS PRESENTED:

1. Does a federal court have jurisdiction to determine whether a collective bargaining agreement was formed when it is disputed whether any binding contract exists, but no party makes an independent challenge to the arbitration clause apart from claiming it is inoperative before the contract is established?
2. Does Section 301(a) of the Labor-Management Relations Act, which generally preempts otherwise available state law causes of action, provide a cause of action against an international union that is not a direct signatory to the collective bargaining agreement, but effectively displaces its signatory local union and causes a strike breaching a collective bargaining agreement for its own benefit?

CERT. GRANTED 6/29/2009