

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
OF ILLINOIS, MASSAC COUNTY

HONEYWELL INTERNATIONAL, INC.

Plaintiff,

v.

UNITED STEEL, PAPER and
FORESTRY, RUBBER,
MANUFACTURING, ENERGY, ALLIED
INDUSTRIAL AND SERVICE
WORKERS INTERNATIONAL, AFL-
CIO-CLC, LOCAL 7-669,

Defendant.

Civil Action No. 10-CH-52

FILED
OCT 20 2010

James D. Brown
CLERK OF THE CIRCUIT COURT
FIRST JUDICIAL COURT
MASSAC COUNTY, ILLINOIS

ORDER OF ADJUDICATION OF INDIRECT CIVIL CONTEMPT

Now on this 19th day of October, this cause comes on for hearing on Court's Order for Rule to Show Cause directed to UNITED STEEL, PAPER and FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL, AFL-CIO-CLC, LOCAL 7-669 to show cause, if any, why it should not be found in indirect civil contempt and sanctioned forthwith, for failure to comply with the Court's Temporary Restraining Order entered on September 24, 2010. The parties appear by counsel, HONEYWELL INTERNATIONAL, INC., represented by Mark Weisman of Gallop, Johnson & Neuman, L.C. and Thomas Crosby of Winters, Brewster, Crosby and Schafer, and UNITED STEEL, PAPER and FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL and SERVICE WORKERS INTERNATIONAL, AFL-CIO-CLC- LOCAL 7-699, represented by Stephen Yokich of Cornfield and Feldman.

The Court having reviewed the evidence, taken testimony, heard arguments of counsel and being otherwise fully advised in the premises does find as follows:

1. On September 24, 2010, Plaintiff filed a Complaint for Preliminary Injunction and a Motion for Temporary Restraining Order, seeking an Order restraining Defendant from certain dangerous and illegal conduct.
2. On September 24, 2010, this Court did enter a Temporary Restraining Order ("Order"), which Order was served on Defendant on the day of its entry, by the Sheriff of Massac County, on Defendant in Metropolis, Illinois.

3. On October 7th Honeywell filed a Verified Petition For Rule to Show Cause and Order for Rule to Show Cause was issued on October 7, 2010 and was mailed to counsel for Defendant on that date. Thereafter, Honeywell filed Supplements to the Petition for Rule to Show Cause on October 14th and October 18th.

4. The Court has jurisdiction of the parties and subject matter.

THE COURT MAKES THE FOLLOWING FINDINGS OF FACT evidencing Defendant has refused to abide by the obligations imposed upon it by the Court's September 24th Temporary Restraining Order, and specifically has violated the Order by the acts and conduct, as shown by the evidence adduced, including the following:

At various times from September 29th through at least October 13th, 2010 Defendant did: place an object in an entrance to the plant (in violation of ¶4 of the Order); obstruct, unnecessarily hinder and delay passage from highway 45 into the plant (in violation of ¶5 and ¶8 of the Order) and, otherwise create obstruction to the free flow of traffic in both directions on the road leading to and from the plant (in violation of ¶8 of the Order); intimidate and harass individuals entering, leaving or otherwise conducting business at the plant (in violation of ¶7 of the Order); that Defendant failed to effectively communicate the terms of the Temporary Restraining Order to its members.

That Defendant has not given any legally sufficient reason for failure to comply with said Temporary Restraining Order.

IT IS THEREFORE ORDERED AND ADJUDGED that:

Defendant, UNITED STEEL, PAPER and FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL and SERVICE WORKERS INTERNATIONAL, AFL-CIO-CLC- LOCAL 7-699, IS HEREBY FOUND AND DECLARED to be in indirect civil contempt of Court for failure to obey the Court's September 24th Temporary Restraining Order.

Given the contemptuous acts of Defendant, the Court (in addition to the terms contained in the Court's September 24th Order, which shall remain in full force and effect), Orders the following to effect full compliance:

Pickets may be present next to the paved portion of the driveway; and

Only one (1) picket may patrol the paved portion of the driveway. Said picket must patrol and must leave the driveway promptly when vehicles approach; and


No more than four (4) pickets may be present at any one entrance at one time; and

The pickets will be stationed at least twelve (12) feet from the fog line on US Route 45; and

The union will post its picket schedule on its website and provide its sign-in sheets to the employers weekly. The union will use its best efforts to maintain the accuracy of these documents; and

The Union will post a copy of the September 24th Temporary Restraining Order and a copy of this order at the Union Hall on October 20, 2010. It shall post the September 24th Temporary Restraining Order and this order on its website when it receives an electronic version of these documents. It will read this order and the September 24th Temporary Restraining Order at its membership meeting on October 21, 2010. It will mail copies of this order and the September 24th Temporary Restraining Order to its members on October 22, 2010.

Dated this 20th day of October, 2010.



Judge James R. Williamson, Presiding Judge