

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60513
No. 95-60689
Summary Calendar

CLARK UNITED CORPORATION,

Petitioner-Cross-Respondent,

versus

NATIONAL LABOR RELATIONS BOARD,

Respondent-Cross-Petitioner.

- - - - -
Petition for Review of Order of the National
Labor Relations Board in Clark United Corp. and
Sheet Metal Workers Intl. Assoc., Local Union 68
- - - - -

August 6, 1996

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

After considering the record presented for review, including the Hearing Officer's Report on Objections to Conduct Affecting the Results of the Election with Findings and Recommendations, the Decision and Certification of the Collective Bargaining Representative by the Board, and the Decision and Order that Clark United Corporation Cease and Desist from Refusing To Bargain with the Union, and the briefs of the parties, we

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

conclude that the Board acted reasonably within its discretion in overruling the Company's election objections, and, therefore, properly found that the Company violated Section 8(a)(5) and (1) of the National Labor Relations Act by refusing to bargain with the duly certified union.

Accordingly, the orders of the National Labor Relations Board in these cases are AFFIRMED and ENFORCED.