

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60334

CJC HOLDINGS, INCORPORATED,

Petitioner-
Cross-Respondent,

versus

NATIONAL LABOR RELATIONS BOARD,

Respondent-
Cross-Petitioner.

On Petition for Review and Cross-Application
for Enforcement of an Order of the
National Labor Relations Board
(16-CV-16778-2)

March 11, 1997

Before GARWOOD, WIENER and DeMOSS, Circuit Judges.*

PER CURIAM:

After considering the briefs, relevant portions of the record, and argument of counsel, the Court concludes that the petition for review demonstrates no basis for granting relief to petitioner, and accordingly the petition for review is denied and the application

*Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

for enforcement is granted. In this connection, the Court does not construe the Board's order as preventing petitioner from refusing to agree to dues checkoff on the basis of a bona fide, principled (or fundamental) opposition, on general policy grounds, to dues checkoff, as distinguished from a refusal to agree to dues checkoff for the ulterior purpose of avoiding any agreement on a labor contract so as to achieve an impasse.

Petition DENIED; Enforcement GRANTED