

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ATLAS AIR, INC., *et al.*,

Plaintiffs,

v.

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, *et al.*,

Defendants.

Civil Action No. 17-1953 (RDM)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Plaintiffs' motion for a preliminary injunction, Dkt. 5, is **GRANTED** and Defendants' motion to dismiss, Dkt. 51, is **DENIED**; and it is further

ORDERED that Defendants, their officers, agents, employees, members employed by Plaintiffs, and all persons acting in concert with any of them be, are hereby preliminarily enjoined from authorizing, encouraging, permitting, calling, engaging in, or continuing any strike, work stoppage, sick-out, concerted refusal to volunteer for or to accept work assignments (including, without limitation, open time flights), slowdown (including, without limitation, the existing SHOP and BOOT campaigns), or other self-help against Plaintiffs relating to the dispute or disputes arising from the Section 6 notice served in the round of bargaining that commenced on or about February 2016; and it is further

ORDERED that the preliminary injunction shall remain in effect until (1) the expiration of thirty days following termination of mediation by the National Mediation Board under Section 5 of the Railway Labor Act ("RLA"), and completion of emergency board procedures thereafter

if an emergency board is established under Section 10 of the RLA; (2) final adjudication of the pending case; or (3) further order of this Court; and it is further

ORDERED that Defendants shall take all necessary steps to inform their officers, agents, employees, and members employed by Plaintiffs of their obligation to comply with the terms of this Order, including, without limitation, their obligation to cease any existing activity that is inconsistent with this Order; and it is further

ORDERED that Defendants shall make all reasonable efforts to prevent their officers, agents, employees, members, and all persons acting in concert with any of them from engaging in conduct enjoined by this injunction; and it is further

ORDERED that within 72 hours after this Order issues, Defendants shall file a declaration with the Court setting forth (1) the steps taken to give notice of this Order to their officers, agents, employees, and members who are employed by Plaintiffs of their obligation to comply with the terms of this Order, and (2) the steps taken by Defendants to ensure compliance; and it is further

ORDERED that within 48 hours after this Order issues, an undertaking in the sum of \$200,000, or cash in that amount, be filed by the Plaintiffs to pay the costs, attorneys' fees, and damages sustained by any person or entity found to have been wrongfully enjoined or restrained; and it is further

ORDERED that on or before December 7, 2017, Plaintiffs and/or Defendants may seek reconsideration of the bond amount set by this Order upon a proper showing; and it is further

ORDERED that this preliminary injunction may be served by any person over the age of 18 years selected for the purpose by Plaintiffs; and it is further

ORDERED that the parties shall appear for a Rule 16 scheduling conference on December 21, 2016 at 2:00 pm, and shall file the joint report required by Local Rule 16.3(d) on or before December 7, 2016.

/s/ Randolph D. Moss
RANDOLPH D. MOSS
United States District Judge

Date: November 30, 2017