

**NATIONAL LABOR RELATIONS BOARD, Petitioner,
v.
LOCAL 294, INTERNATIONAL BROTHERHOOD OF
TEAMSTERS,
CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF
AMERICA;
and its agents Nicholas Robilotto,
Edward Smith, and Louis
Bonomo, Respondents.**

No. 53, Docket 26224.

United States Court of Appeals Second Circuit.

Argued Oct. 10, 1960.

Decided Nov. 10, 1960.

Melvin J. Welles, of the National Labor Relations Board, Washington, D.C. (Stuart Rothman Gen. Counsel; Dominick L. Manoli, Associate Gen. Counsel; Marcel Mallet-Prevost, Asst. Gen. Counsel; Elizabeth W. Weston, Atty., N.L.R.B., Washington, D.C., on the brief), for petitioner.

Harry Pozefsky, Gloversville, for respondents.

Before CLARK and FRIENDLY, Circuit Judges, and DIMOCK, District Judge.

FRIENDLY, Circuit Judge.

- 1 The National Labor Relations Board seeks enforcement of an order, 126 N.L.R.B. No. 2, relating to the same labor dispute between K-C Refrigeration Transport Company, Inc., hereafter 'K-C,' of Cohoes, N.Y., and Local 294 of the Teamsters, another phase of which has been dealt with in a case just decided. Our opinion there gives the facts as to K-C's business, its owners (the Kowalchuk family) and its employees. The complaint here sustained was that respondents had violated 8(b)(1)(B) of the National Labor Relations Act, 29 U.S.C.A. 158(b)(1)(B), which makes it an unfair labor practice for a labor

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