

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**Baltimore/Washington Construction and
Public Employee Laborer’s District Council,
Petitioner** *
*

v. *

CIVIL NO. JKB-16-3722

Whiting-Turner Contracting Co., *

Respondent *

* * * * *

ORDER

For the reasons stated in the foregoing memorandum, it is ORDERED:

1. Respondent’s motion to dismiss (ECF No. 4) is DENIED IN PART and DENIED IN PART AS MOOT:
 - a. The motion is DENIED as to Respondent’s argument pursuant to the Labor-Management Relations Act, 29 U.S.C. § 185 (2015); and
 - b. The motion is DENIED AS MOOT as to Respondent’s argument pursuant to the Federal Arbitration Act, 9 U.S.C. § 4 (2015);

2. Petitioner’s motion to compel arbitration (ECF No. 5) is GRANTED IN PART and DENIED IN PART AS MOOT:
 - a. The motion is GRANTED as to the Petition’s Second Claim (for an order to compel arbitration pursuant to 29 U.S.C. § 185); and
 - b. The motion is DENIED AS MOOT with respect to the Petition’s First Claim (for an order to compel arbitration pursuant to 9 U.S.C. § 4);

3. Pursuant to § 6.3 of the Project Labor Agreement (ECF No. 1-1), the Parties SHALL ENTER into arbitration according to the rules of the American Arbitration

Association; and

- 4. The Clerk is DIRECTED to CLOSE THIS CASE.

DATED this 23rd day of March, 2017.

BY THE COURT:

/s/
James K. Bredar
United States District Judge