

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA
OMAHA DIVISION**

INTERNATIONAL ASSOCIATION OF
SHEET METAL, AIR, RAIL AND
TRANSPORTATION WORKERS,
TRANSPORTATION DIVISION

Petitioner,

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

Case No. 8:25-cv-00740

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56, for the reasons more fully stated in the attached Memorandum of Law, Defendant Union Pacific Railroad Company moves for summary judgment on Plaintiff International Association of Sheet Metal, Air, Rail and Transportation Workers, Transportation Division’s claims under the Railway Labor Act seeking to vacate in its entirety a final and binding arbitration award on the grounds that certain portions of it, according to Plaintiff, exceeded the arbitrator’s jurisdiction. Plaintiff’s arguments fail as a matter of law. The standard of review of arbitration awards is exceptionally deferential, and each challenged provision of the award was within the arbitrator’s authority to award. Moreover, even if that were not so, Plaintiff waived its jurisdictional objections by failing to raise them during the arbitration proceedings themselves. For these and other reasons, Union Pacific is entitled to summary judgment.

Dated: August 11, 2026

Respectfully,

s/ Scott P. Moore

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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will serve all counsel of record.

s/ Thomas R. Chiavetta