



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001

Michael H Holland
Election Officer

(202) 624-8778
1-800-828-6496
Fax (202) 624-8792

July 11, 1991

VIA UPS OVERNIGHT

Ray Nickum
c/o The Informed Teamsters
for the Good of All Slate
8747 Imperial Highway
Apt. #2
Downey, CA 90242

Gerald Moerler
13104 Glen Ct. #40
Chino Hills, CA 91709

Pat Guthrie
9652 Lanett
Whittier, CA 90605

Re: Election Office Case No. Conv.-13-LU63-CLA

Gentlemen and Ms. Guthrie:

A protest was filed with the Election Office pursuant to Article XI of the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Election Rules"). A copy of the protest is attached hereto. In his protest Ray Nickum alleges that Pat Guthrie violated the Election Rules as a result of her collection and marking of official ballots in the election for delegates and alternate delegates from Local Union 63 to the 1991 IBT International Convention.

The Election Officer's investigation of this protest revealed the following. Mr. Nickum alleges that on or about June 21, 1991 he was informed by a co-worker, Michael Hernandez, that Pat Guthrie collected and marked ballots in the Local Union 63 delegate election. Ms. Guthrie, who is employed by A.B.F. at its Pacoima facility, is alleged by Mr. Hernandez to have collected and marked ballots from her co-workers. Both Nickum and Hernandez are employed by A.B.F. at its Pico Rivera facility. Mr. Nickum offered no evidence regarding the allegations contained in his protest other than what Mr. Hernandez told him. The only evidence offered by Mr. Hernandez was the statement allegedly made to him by Ms. Guthrie.

When interviewed by Election Office Regional Coordinator Geraldine Leshin, Mr. Hernandez stated that Ms. Guthrie told him that she collected and marked six ballots in the original Local Union 63 delegate election which was conducted on March 26, 1991. Regional Coordinator Leshin interviewed Ms. Guthrie who denied that she solicited or collected any ballots in the first or in the rerun Local Union 63 delegate election. In addition, Ms. Leshin personally contacted four of Ms. Guthrie's six coworkers who Mr. Hernandez alleged had given Ms. Guthrie their unvoted ballots; one

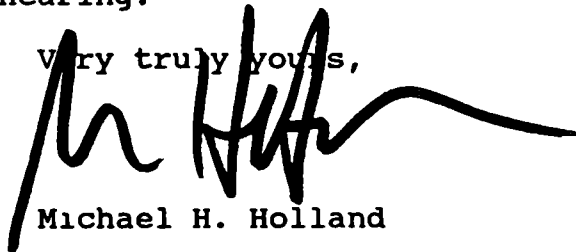
Ray Nickum
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coworker was on vacation at the time of the interviews and the other works on a graveyard shift and could not be reached. Each of the employees interviewed denied surrendering their ballots to Ms. Guthrie or being asked by Ms. Guthrie to surrender their ballots.

Because the Election Officer found no direct evidence of ballot solicitation or collection and because the allegations concern the original election which was overturned in Election Office Case No. Post-61-LU63-CLA, the instant protest is DENIED.

If any interested party is not satisfied with this determination, they may request a hearing before the Independent Administrator within twenty-four (24) hours of their receipt of this letter. The parties are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election Officer in any such appeal. Requests for a hearing shall be made in writing, and shall be served on Independent Administrator Frederick B. Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, New Jersey 07102-5311, Facsimile (201) 622-6693. Copies of the request for hearing must be served on the parties listed above, as well as upon the Election Officer, IBT, 25 Louisiana Avenue, N.W., Washington, D. C. 20001, Facsimile (202) 624-8792. A copy of the protest must accompany the request for a hearing.

Very truly yours,



Michael H. Holland

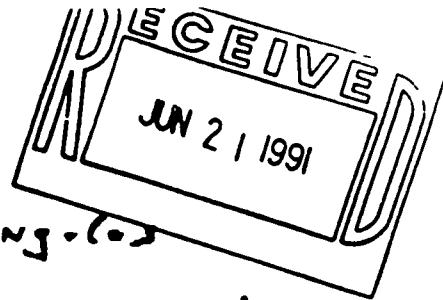
MHH/mjv

cc: Frederick B. Lacey, Independent Administrator, IBT
Geraldine Leshin, Regional Coordinator
Susan Jennik, Esq.

From Ray Nickum

Local 63

Los Angeles



63/CLA

June 21, 1991

VIA FACSIMILE
(407) 560-1365

X MHT
BJH
TO: MARTY

Michael Holland, Election Officer
International Brotherhood
of Teamsters
c/o Walt Disney World Dolphin Hotel
Australia # 3
1500 Epcot Resort Boulevard
Lake Buena Vista, Florida 32820

Re: Election Protest - Local 63

Dear Mr. Holland:

I, Ray Nickum, on behalf of the Informed Teamsters for the Good of All Slate files this election protest under Article XI of the Rules for the IBT Delegate and Officer Election.

During the campaign period for the second Local 63 Election, Pat Guthrie, a Local 63 member and employee of A.B.F. (Pacoima) and supporter of the Delegates for Carey Slate solicited, collected and marked ballots from her co-workers in violation of Article XII, (3)(d).

Very truly yours,

Ray Nickum
c/o The Informed Teamsters
Slate
8747 Imperial Highway, #2
Downey, California 90242

FAXED from L.A.

cc: Geraldine Leshin (FAX (818) 566-9622)
Gerald Moerler (FAX (714) 627-4755)