

OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
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Michael H. Holland
Election Officer

November 11, 1991

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VIA UPS OVERNIGHT

Daniel Torres, Jr.
2484-E Sundial Drive
Chino Hills, CA 91709

Everett J. Roberts
Trustee
IBT Local Union 63
1616 West 9th Street
Room 205
Los Angeles, CA 90015

Bill McArthur
Labor Relations
Consolidated Freightways
11888 Mission Blvd.
Mira Loma, CA 91752

Walter Shea
c/o Robert Baptiste, Esq.
Baptiste and Wilder
1919 Pennsylvania Ave, NW
Suite 505
Washington, DC 20006

Re: Election Office Case No. P-1055-LU63-CLA

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Daniel Torres, Jr. In that protest Mr. Torres alleges that the *Rules* were violated by Consolidated Freightways ("CF") when it removed Shea-Ligurotis campaign material posted on telephone poles located outside the CF facility at Mira Loma, California. The Election Officer's investigation revealed the following.

On or about October 31, 1991, a CF Labor Relations official gave instructions to have Shea-Ligurotis campaign material removed from walls and structures located on CF property where it had been posted earlier that day during a campaign visit by supporters of the Shea-Ligurotis slate. In addition to removing the material from CF property, the employees also removed four posters which were affixed to telephone poles outside of the terminal. The removal of the posters on the telephone polls outside of the facility was not intended by CF.

After the filing of the instant protest, representatives of the Election Officer contacted CF. As a result, CF has agreed to repost four posters on the telephone polls outside of the terminal. Mr. Torres shall provide four campaign posters to CF officials at the Mira Loma terminal and they will be posted as soon as possible after receipt. Counsel for the Election Officer contacted Mr. Torres by telephone on the afternoon of

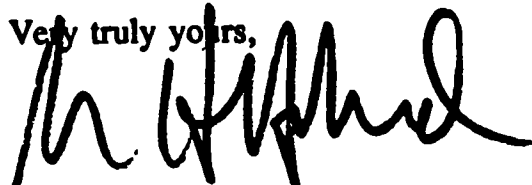
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Friday, November 8, 1991 to inform him of the resolution of this matter and to notify him that the posters would be replaced immediately after they were delivered.

Based on the forgoing, the Election Officer considers this matter RESOLVED.

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

cc: Frederick B. Lacey, Independent Administrator
Geraldine Leshin, Regional Coordinator