



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

November 29, 1991

VIA UPS OVERNIGHT

Chris Scott  
R.V. Durham Unity Team  
508 Third Street, S.E.  
Washington, D.C. 20003

Ron Carey  
c/o Richard Gilberg, Esq.  
Cohen, Weiss & Simon  
330 West 42nd Street  
New York, NY 10036-6901

1109  
Re: Election Office Case No. P-~~1108~~-IBT

Gentlemen:

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"). In that protest Chris Scott, the Campaign Director of the "R.V. Durham Unity Team", alleges that the Ron Carey Campaign violated the Election Rules by accepting an employer contribution in the form of a discount for certain services provided by a public opinion polling firm. The Election Officer's investigation revealed the following.

The Pre-election Report #2 of the Campaign Contribution and Expenditure Report filed by the Ron Carey Campaign in accordance with Article X, Section 2 of the Election Rules lists an expenditure in the amount of \$9,000. paid to Lauer, Lalley & Associates for polling. Mr. Scott alleges that \$9,000 for the type of polling allegedly done by Lauer, Lalley & Associates on behalf of the Carey Campaign is below the commercially reasonable cost for such services. Mr. Scott further alleges that the difference between the amount actually charged and the market rate for such polling services constitutes an impermissible contribution by Lauer, Lalley & Associates, an employer, the Carey Campaign.

The Election Officer's investigation revealed that the \$9,000. payment by the Carey Campaign to Lauer, Lalley & Associates was only a partial payment for the services provided. The total charges for the polling was \$15,000. of which \$9,000 was paid at the time the campaign finance report was filed with the Election Office. The Carey Campaign has filed an amended Schedule C to its Report #2 reflecting the unpaid balance of \$6,000 to Lauer, Lalley & Associates as an obligation of the Ron Carey Campaign.

Chris Scott  
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The Election Office contacted Mr. Scott and informed him of the actual amount charged by Lauer, Lalley & Associates for the polling services at issue. Mr. Scott indicated that he believed that \$15,000 was a commercially reasonable charge for the services provided.

On the basis of 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  
Election Officer

MHH/ca

cc: Frederick B. Lacey, Independent Administrator

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