

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

Michael H. Holland
Election Officer

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December 30, 1991

VIA UPS OVERNIGHT

Anthony T. Hooks
5449 Laura Lane
Cincinnati, OH 45212

James A. Beck
3548 Turkeyfoot Road
Erlanger, KY 41018

Michael H. Dickens, President
Jack C. Weber, Secretary-Treasurer
Duane Wilson, Business Agent
IBT Local Union 100
2100 Oak Road
Cincinnati, OH 45241

Re: Election Office Case No. P-1127-LU100-SCE

Gentlemen:

A protest was filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Anthony T. Hooks and James Beck, Vice President and Recording Secretary, respectively, of IBT Local 100. The protest alleges that Local Union President Michael H. Dickens and Secretary-Treasurer Jack Weber solicited the filing of, and are attempting to force the executive board of Local 100 to hear, frivolous and unsubstantiated internal Union charges against Messrs. Hooks and Beck. Messrs. Hooks and Beck allege that the internal Union charges against them were filed--and Messrs. Dickens and Weber are requiring them to be heard--in retaliation for the partisan political positions taken by Messrs. Hooks and Beck during the 1991 IBT International Union delegate and officer elections.

Subsequent to the filing of the instant protest, on December 23, 1991, the Independent Administrator issued his decision in the matter of Investigations Officer v. Duane Wilson, Michael H. Dickens and Jack Weber. The decision resolved charges brought by Charles Carberry, the Court-appointed Investigations Officer, against Messrs. Dickens and Weber. The Independent Administrator found Messrs. Dickens and Weber guilty and ordered each of them suspended from membership in the IBT for a period of five years, which suspension requires them to relinquish their positions as officers in Local Union 100. The Independent Administrator stayed the effectiveness of his December 23, 1991 decision pending the order of the United States District Court for the Southern District of New York.

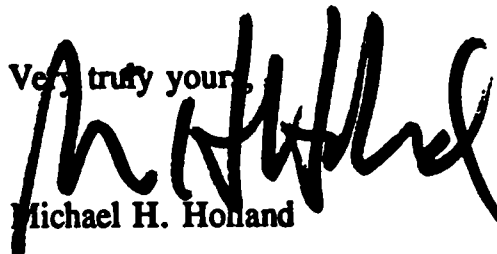
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The gravamen of the instant protest is that Mr. Dickens as President and Mr. Weber as Secretary-Treasurer are improperly requiring the Local Union 100 executive board to hear frivolous and unsubstantiated internal Union charges against Messrs. Hooks and Beck. The decision of the Independent Administrator, if upheld by the United States District Court for the Southern District of New York, would remove Messrs. Dickens and Weber as officers of Local Union 100. They would, therefore, no longer be in a position to require the Local Union 100 executive board to take any action, including hearing the internal Union charges at issue in this protest. Under and pursuant to the IBT International Union Constitution, the remaining members of the executive board of Local 100 will elect a new President and a new Secretary-Treasurer to replace Messrs. Dickens and Weber and whether to place before the Local 100 executive board internal Union charges against Messrs. Hooks or Beck will be determined by these new officers.

By reason of the foregoing, it is clear that the instant protest will become moot if the decision of the Independent Administrator is upheld by the United States District Court for the Southern District of New York. Accordingly, the Election Officer will DEFER his decision pending the order of the United States District Court for the Southern District of New York.

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

Peggy A. Hillman, Regional Coordinator