



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001
(202) 624-8778
1-800-828-6496
Fax (202) 624-8792

Michael H Holland
Election Officer

January 17, 1991

Chicago Office:
% Cornfield and Feldman
343 South Dearborn Street
Chicago, IL 60604
(312) 922-2800

VIA UPS OVERNIGHT

Kenneth Friesner
Secretary-Treasurer
IBT Local Union 200
6200 West Bluemound
Milwaukee, Wisconsin 53213

Fred Boggio
3236 South Indiana
Milwaukee, Wisconsin 53207

Re: Election Officer Case No. P-263-LU200-NCE

Gentlemen.

Our office is in receipt of the protest filed on January 9, 1991 regarding ballot placement for Local Union 200.

Article II, § 8(b) of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"), states:

"All full and partial slates shall be listed on the ballot's before the columns headed 'Independent Candidates'. The order of placement of the slates on the ballot shall be determined by lot. Among the independent candidates, the order of placement on the ballot shall be determined by lot."

There are three slates and sixteen independent candidates that appear on the ballot. In accordance with the *Rules*, the slates appear before the independent candidates. The names of the independent candidates appear according to the lot drawing that occurred on December 13, 1990.

The Regional Coordinator, Barbara Quindel, conveyed these results to our Election Staff in Washington for ballot preparation. Because of the large number of slates and candidates, it was determined that an Opti-scan (computerized) ballot counting would be used. Printing for these ballots has been centralized from this Washington office.

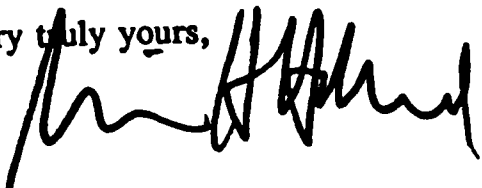
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We have determined the positions on the ballots for slates, and for independent candidates. Local Union 200's ballot was prepared accordingly, and a facsimile was faxed to the Regional Coordinator to be shown to all those who requested to see the proof. Ms. Quindel then sent letters to all the candidates informing them that she had the proof, and that it would be available at her office on December 27, 1990 for review. No question was raised regarding the ballot order until the two protests referenced above were received on January 4, 1991.

The ballot, which has been printed, placed the slates and the independent candidates in the designated positions based on the ballot format to be used for this election. Based upon the facts as stated above, there has been no violation of the *Rules*

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. 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.

Very truly yours,



Michael H Holland

MHH/kpm

cc: Frederick B Lacey, Independent Administrator, IBT
Barbara Zack Quindel, Election Office Regional Coordinator