



OFFICE OF THE ELECTION OFFICER  
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March 19, 1991

**VIA UPS OVERNIGHT**

Harold L Powell  
4960 Headleys Mill Road  
Pataskala, Ohio 43062

Harold Speakman  
President  
IBT Local Union 284  
555 East Rich Street  
Columbus, Ohio 43215

Sandra J May  
6669 Concourse Dr  
Columbus, OH 43229

John Campbell  
1797 Forest Oak Lane  
Columbus, OH 43239

Dave Abraham  
441 Alford Dr  
Newark, OH 43055

Mike Alford  
5751 Chanwick Dr  
Galloway, OH 43119

Jeff Karr  
7415 Pickerington Rd  
Canal Winchester, OH 43110

Joe DeWeese  
680 Moler Dr  
Columbus, OH 43207

Re: Election Office Case No. P-563-LU284-CLE

Gentlemen

A pre-election protest has been timely filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") In his protest, Harold Powell alleges that Harold Speakman, President of Local 284, violated the *Rules* by intimidating and threatening delegate and alternate delegate candidates on Powell's slate

The protest was investigated by Regional Coordinator Joyce Goldstein The investigation shows the following IBT members employed by Anheuser-Busch held a meeting on February 24, 1991 Prior to the meeting, Harold Powell and members of his slate passed out campaign literature When Harold Speakman arrived for the meeting, he engaged in a heated exchange with the Powell slate members Powell states that Speakman said, "No one wants to read those fuckin' lies This shit is going to get you nowhere Just wait till Monday and see what we are going to put out on you fuckers These people don't want to read all these fucking lies you are putting out

Harold Powell  
Page 2

When this fucking election is over, I will make you all live hard because I'm the President of this Local Union and I have the power to do it. You will see who wins this fucking election. Hey big boy, you got fucked by the Election Officers because you can't use Big Bear on ballots, but I can use my nickname."

Speakman agrees that when he arrived he asked Powell, "Is this some more of your fucking bullshit, you goddamned phony assholes?" He states that he then encouraged the group to come into the meeting and quit stopping traffic. Speakman denies making the other statements attributed to him.

The Election Officer credits Speakman's account of the conversation at issue in the protest, specifically because Speakman had no knowledge of the Election Officer decisions about the use of nicknames on the Local 284 ballot. Therefore, Speakman would not have made the statement, "You got fucked by the Election Officer because you can't use Big Bear on ballots."

The Election Officer concludes further that the remarks made by Speakman are not impermissible under the *Rules*. Rather, they are typical of the type of robust speech that frequently accompanies vigorous campaigning. Moreover, there is no evidence that any campaign or candidate has been adversely affected or was intimidated or coerced by the above described exchange among the candidates.

Based on the foregoing, the 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/mca

cc Frederick B. Lacey, Independent Administrator  
Joyce Goldstein, Regional Coordinator