

April 8, 1996

VIA UPS OVERNIGHT

Bruce Saul
24 Plymouth Street
West Babylon, NY 11704

Matthew Eanuzzi
70 Woodview Lane
Centerreach, NY 11720

Arthur A. Wasserman
352 7th Avenue, Suite 1243
New York, NY 10001

Re: Election Office Case No. P-610-LU966-NYC

Gentlemen:

This protest was filed pursuant to Article XIV, Section 2(b) of the *Rules for the 1995-1996 IBT International Union Delegate and Officer Election* ("Rules") by Bruce Saul, a member of Local Union 966. The protester alleges that Frito Lay, Inc., Mr. Saul's employer, was campaigning on behalf of Matthew Eannuzzi, a candidate for delegate, in violation of Article XII, Section 1 of the *Rules*.

The protest was investigated by New York City Protest Coordinator Barbara Deinhardt.

The investigation revealed that the protester overheard a manager of Frito Lay, Inc. ask Mr. Eannuzzi how the campaign was going, wish him well, and give the candidate a "thumbs up."

The conduct referred to as evidence in support of the allegation does not constitute an impermissible employer campaign contribution under the *Rules*. Accordingly, the protest is DENIED.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within one day of receipt of this letter. The parties are reminded that,

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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:

Kenneth Conboy, Esq.
Latham & Watkins
885 Third Avenue, Suite 1000
New York, NY 10022
Fax (212) 751-4864

Copies of the request for hearing must be served on the parties listed above as well as upon the Election Officer, 400 North Capitol Street, Suite 855, Washington, D.C. 20001, Facsimile (202) 624-3525. A copy of the protest must accompany the request for a hearing.

Sincerely,

Barbara Zack Quindel
Election Officer

cc: Kenneth Conboy, Election Appeals Master
Barbara Deinhardt, New York City Protest Coordinator
Arthur Wasserman, Regional Coordinator