

OFFICE OF THE ELECTION ADMINISTRATOR
for the
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

IN RE: TOM LEEDHAM SLATE and)	Protest Decision 2001 EAD 413
HOFFA UNITY SLATE)	Issued: July 24, 2001
Protestors.)	OEA Case Nos. PR062713NA and
)	PR062714NA
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The Tom Leedham Rank and File Power Slate (the "Leedham slate") filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2000-2001 IBT International Union Delegate and Officer Election ("*Rules*"). The protest alleges that supporters of the Hoffa Unity Slate (the "Hoffa slate") intimidated voters as they proceeded to the polls on June 27, 2001 to vote for nomination of regional International Vice-President candidates. The Hoffa slate also filed a pre-election protest pursuant to Article XIII, Section 2(b) of the *Rules*. It alleges Election Administrator William Wertheimer, Jr., and General Counsel Michael Nicholson reacted to the alleged conduct of Hoffa slate supporters in a manner that demonstrated a political bias towards members of the Leedham slate.

In 2001 EAD 404 (July 2, 2001), the Election Administrator designated the undersigned "to investigate and determine the merits of each of the above-referenced protests, and to determine the appropriate remedy if he finds any violation of the *Rules*."

In 2001 EAD 410 (July 19, 2001), I granted the Leedham slate's protest and denied the Hoffa slate's protest. To remedy the violation found, I ordered the Hoffa slate to send a notice by July 27, 2001 to delegates, alternate delegates and registered guests of the IBT convention.

On July 23, 2001, the IBT and the Leedham slate appealed the decision. The same date, the Hoffa slate requested the matter "be held in abeyance until such time as it has had an opportunity to review the videotape upon which the decision is predicated." In a separate letter to the undersigned, the Hoffa slate requested "that the remedy set forth in your decision be held in abeyance pending the Hoffa Slate's review of the videotapes and the appeal of this matter to Judge Conboy."

The remedy ordered in 2001 EAD 410 is STAYED pending the resolution of the appeal.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within two (2) working days of receipt of this decision. The parties are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election

Tom Leedham Slate et al, 2001 EAD 413

July 24, 2001

Administrator in any such appeal. Requests for a hearing shall be made in writing, shall specify the basis for the appeal, and shall be served upon:

Kenneth Conboy
Election Appeals Master
Latham & Watkins
Suite 1000
885 Third Avenue
New York, New York 10022
Fax: 212-751-4864

Copies of the request for hearing must be served upon all other parties, as well as upon the Election Administrator for the International Brotherhood of Teamsters, 727 15th Street NW, Tenth Floor, Washington, DC 20005 (fax: 202-454-1501), all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Jeffrey Ellison
Election Administrator designee

cc: Kenneth Conboy
2001 EAD 413

July 24, 2001

DISTRIBUTION LIST VIA NEXT DAY AIR:

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