

**OFFICE OF THE ELECTION ADMINISTRATOR
for the
INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

IN RE: DANIEL J. DZILENSKI,) Protest Decision 2001 EAD 469
) Issued: September 25, 2001
Protestor.) OEA Case No. PR082712WE
)

Daniel Dzilewski, a member of Local 174 and a shop steward, 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*”). He alleges that business agent Rick Hicks and other union officials campaigned on union paid time, used union resources to campaign for the Hoffa Unity Slate (“Hoffa slate”) and that the Hoffa slate conducted a campaign event advertised as a meeting on IBT business.

Election Administrator representative Lisa Sonia Taylor investigated this protest.

We issued our decision in this matter in 2001 EAD 462 (September 20, 2001), and ordered relief in the form of a notice posting and a remedial mailing. On September 24, 2001, the Hoffa slate requested a stay pending appeal.

In light of the short time remaining before the mailing of International officer ballots, we DENY the stay. Further, given the short period of time remaining in which protests can be remedied before the mailing of ballots, we shall deny all further stay requests absent extraordinary circumstances.

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 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

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Street, N.W., 10th Floor, Washington, D.C. 20005 (fax: 202-454-1501), all within the time prescribed above. A copy of the protest must accompany the request for hearing.

William A. Wertheimer, Jr.
William A. Wertheimer, Jr.
Election Administrator

cc: Kenneth Conboy
2001 EAD 462

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