

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

<b>IN RE: ANTHONY SGRILLO,</b>	)	Protest Decision 2011 ESD 101
	)	Issued: February 7, 2011
<b>Protestor.</b>	)	OES Case No. P-086-011811-ME
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Anthony Sgrillo, member of Local Union 107, filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2010-2011 IBT International Union Delegate and Officer Election (“*Rules*”). In *Sgrillo*, 2011 ESD 94 (January 30, 2011), we granted the portion of the protest that concerned the ballot placement lottery for slates and ordered that a new lottery be held. We reserved decision on the balance of Sgrillo’s protest, which alleged that TLB Solutions, Inc. should be replaced as the administrator of the local union’s delegates and alternate delegates election.

Election Supervisor representative Deborah Schaaf investigated the remaining allegation of this protest.

**Findings of Fact and Analysis**

Local Union 107 retained TLB Solutions to conduct its delegates and alternate delegates election. TLB’s representative, Karen Matchett, conducted the nominations meeting on January 16, 2011.

Protestor Sgrillo alleged that TLB Solutions is owned by Thomas L. Brown, who Sgrillo stated is “close” to the local union leadership. Sgrillo offered no evidence of prejudicial bias on the part of TLB, and we have found none. TLB was listed in the proposed local union election plan for Local Union 107, and we received no comments or objections questioning the integrity or ability of TLB to conduct all facets of the election in an impartial manner.

Although we found that the ballot placement lottery conducted by TLB’s Matchett was invalid because candidates were not afforded the opportunity to inspect the lottery slips and the receptacle from which they were drawn, we expressly made “no finding that the lottery conducted January 16 was fixed, rigged or predetermined to decide its outcome.”

The second lottery we ordered in *Sgrillo* has been conducted. Protestor Sgrillo reported to us that he was satisfied that it was carried out in accordance with the *Rules*.

Sgrillo and all other candidates (or their designated observers) retain the right to observe all critical events of the election process; they and all other members of the local union retain the right to protest alleged violations of the *Rules*.

Accordingly, we DENY the protest’s remaining allegation.

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

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are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election Supervisor 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  
885 Third Avenue, Suite 1000  
New York, NY 10022  
Fax: (212) 751-4864

Copies of the request for hearing must be served upon the parties, as well as upon the Election Supervisor for the International Brotherhood of Teamsters, 1801 K Street, N.W., Suite 421 L, Washington, D.C. 20006, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Richard W. Mark  
Election Supervisor

cc: Kenneth Conboy  
*2011 ESD 101*

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**DISTRIBUTION LIST (BY EMAIL UNLESS OTHERWISE SPECIFIED):**

Bradley T. Raymond, General Counsel  
International Brotherhood of Teamsters  
25 Louisiana Avenue, N.W.  
Washington, D.C. 20001  
braymond@teamster.org

David J. Hoffa  
Hoffa Keegel 2011  
1100 Connecticut Avenue, N.W., Ste. 730  
Washington, D.C. 20036  
hoffadav@hotmail.com

Ken Paff  
Teamsters for a Democratic Union  
P.O. Box 10128  
Detroit, MI 48210-0128  
ken@tdu.org

Barbara Harvey  
1394 E. Jefferson Avenue  
Detroit, MI 48207  
blmharvey@sbcglobal.net

Fred Gegare  
P.O. Box 9663  
Green Bay, WI 54308-9663  
kirchmanb@yahoo.com

Scott D. Soldon  
3541 N. Summit Avenue  
Shorewood, WI 53211  
scottsoldon@gmail.com

Fred Zuckerman, President  
Teamsters Local Union 89  
3813 Taylor Blvd.  
Louisville, KY 40215  
fredzuckerman@aol.com

Robert M. Colone, Esq.  
P.O. Box 272  
Sellersburg, IN 47172-0272  
rmcolone@hotmail.com

Carl Biers  
Box 424, 315 Flatbush Avenue  
Brooklyn, NY 11217  
info@SandyPope2011.org

Julian Gonzalez  
Lewis, Clifton & Nikolaidis, P.C.  
350 Seventh Avenue, Suite 1800  
New York, NY 10001-5013  
jgonzalez@lcnlaw.com

William Hamilton, President  
Teamsters Local Union 107  
2845 Southampton Road  
Philadelphia, PA 19154  
jazz61161@aol.com

Anthony Sgrillo  
33 Highland Drive  
Telford, PA 18969  
sgrillos@verizon.net

Edwin Taylor  
378 Cutler Avenue  
Maple Shade, NJ 08052  
teamstered@comcast.net

Karen Matchett  
TLB Solutions  
7331 Greystone Street  
Lakewood Ranch, FL 34202

Deborah Schaaf  
1118 Coddington Road  
Ithaca, NY 14850  
debschaaf33@gmail.com

Denise Ventura  
949 Old Hickory Road  
Pittsburgh, PA 15243  
dmventura@verizon.net

Kathryn Naylor  
Office of the Election Supervisor  
1801 K Street, N.W.  
Washington, D.C. 20006  
knaylor@ibtvote.org

Jeffrey J. Ellison  
214 S. Main Street, Suite 210  
Ann Arbor, MI 48104  
ellisonesq@aol.com