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

IN RE: GEGARE-SHEARD SLATE,	)	Protest Decision 2012 ESD 364
	)	Issued: January 5, 2012
Protestor.	)	OES Case No. P-331-092711-FW
	)	

The Gegare-Sheard slate 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"). The protest alleged that supporters of Hoffa-Hall 2011 intimidated members by taking Gegare-Sheard campaign material from them, by surveilling them, and by threatening them when Gegare and Sheard campaigned in a parking lot of Ralph's Grocery Distribution Center in Riverside, California on September 22, 2011.

By email received January 5, 2012, the protestor requested to withdraw the protest. We find that permitting withdrawal is consistent with the purposes of the *Rules*. Accordingly, we deem this protest WITHDRAWN.

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 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 2012 ESD 364

## 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 Hall 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 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 Michael J. Miller P.O. Box 25385 Los Angeles, CA 90025 miller.michael.j@verizon.net

Christine Mrak 2357 Hobart Avenue, SW Seattle, WA 98116 chrismrak@gmail.com

Maria S. Ho Office of the Election Supervisor 1801 K Street, N.W., Suite 421 L Washington, D.C. 20006 mho@ibtvote.org

Kathryn Naylor Office of the Election Supervisor 1801 K Street, N.W., Suite 421 L Washington, D.C. 20006 knaylor@ibtvote.org

Jeffrey Ellison 214 S. Main Street, Ste. 210 Ann Arbor, MI 48104 EllisonEsq@aol.com