

November 25, 1996

VIA UPS OVERNIGHT

Robert H. Newhouse
6486 S. Saulsbury Street
Littleton, CO 80123

Gary Stugart
8120 Stuart Place
Westminster, CO 80030

Steve Vairma
2275 S. Coors Court
Lakewood, CO 80228

Ron Cash
10330 Oak Street
Westminster, CO 80021

Dave Ring
12540 Bellaire Street
Northglenn, CO 80233

Roger Quimby
12669 Green Circle
Broomfield, CO 80020

Sylvia Salazar
4741 Meade Street
Denver, CO 80211

Jim Adams
10972 W. 107th Avenue
Westminster, CO 80021

Re: Election Office Case No. P-1156-LU435-EOH

Gentlepersons:

Robert H. Newhouse, a member of Local Union 435, filed a pre-election protest pursuant to Article XIV, Section 2(b) of *the Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")* against all members of the local union executive board, who are also candidates for local union office on the Teamsters Pride slate.

Mr. Newhouse alleges that one of the charged parties, Steve Vairma, requested further investigation on protests already determined by the Election Officer and, therefore, acted outside the *Rules*.

This protest was investigated by Protest Chief Benetta Mansfield.

Mr. Vairma's actions in questioning the investigation were not improper. Nothing in the *Rules* prevents a protester from asking the investigator questions about whether he or she followed up on information provided.

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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, 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 N. Capitol Street, Suite 855, Washington, DC 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