

November 19, 1998

**VIA FIRST CLASS MAIL**

Joe Carbone, Shop Steward  
Teamsters Local Union 854  
811 W. Merrick Road  
Valley Stream, NY 11580

Joe Curcio  
Consolidated Bus Company  
5381 Kings Highway  
Brooklyn, NY 11203

Maureen Hopkins, President  
Teamsters Local Union 854  
811 W. Merrick Road  
Valley Stream, NY 11580

Hoffa Slate  
c/o Patrick J. Szymanski, Esq.  
Baptiste & Wilder  
1150 Connecticut Avenue, NW  
Suite 500  
Washington, DC 20036

Bradley T. Raymond, Esq.  
Finkel, Whitefield, Selik,  
Raymond, Ferrara & Feldman  
32300 Northwestern Highway  
Suite 200  
Farmington Hills, MI 48334

James P. Hoffa  
2593 Hounds Chase  
Troy, MI 48098

**Re: Election Office Case No. PR-390-LU854-NYC**

Gentlemen:

An anonymous person claiming to be a member of Local Union 854 filed a pre-election protest pursuant to Article XIV, Section 2(b) of the ***Rules for the 1995-1996 International Union Delegate and Officer Election*** (“***Rules***”) against Joe Carbone. Mr. Carbone is a Local Union 854 shop steward. The protester alleged that he received a telephone call from Mr. Carbone soliciting his vote for James P. Hoffa and the Hoffa Unity Slate (“Hoffa Slate”). Mr. Hoffa is a candidate for general president. Mr. Carbone admits that he made phone calls on behalf of the Hoffa Slate but denies that his actions violated the ***Rules***.

The protest was investigated by New York City Protest Coordinator Barbara C. Deinhardt.

Mr. Carbone does not dispute that he made a number of calls for the purpose of soliciting votes for the Hoffa Slate. He specifically denied, however, that he made any statements or conducted himself in any way which might be considered intimidating. In the anonymous letter, the protester states only that Mr. Carbone’s telephone call was “intimidation.” No other

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evidence was provided. In the context of Mr. Carbone's denials, the anonymous letter is insufficient to sustain the protest.

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, 444 North Capitol Street, NW, Suite 445, Washington, DC 20001, Facsimile (202) 624-3525. A copy of the protest must accompany the request for a hearing.

Sincerely,

Michael G. Cherkasky  
Election Officer

cc: Kenneth Conboy, Election Appeals Master