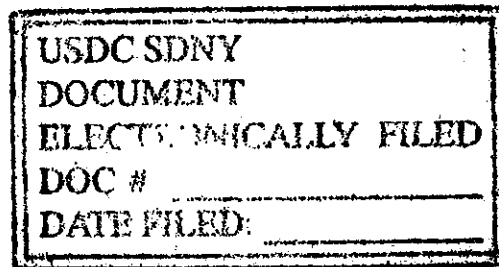


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

Plaintiff,

-versus-

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, et al.,

Defendants.

88 Civ. 4486 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of the parties' joint motion seeking an order approving a limited parking lot access rule for the 2021 International Board of Teamsters election pursuant to the All Writs Act. (See dkt. no. 4625.) Having considered the arguments made in the parties' supporting memorandum of law, the Court grants the motion and approves the limited parking lot access rule.

SO ORDERED.

Dated: New York, New York
February 14, 2020

A handwritten signature in cursive script that reads "Loretta A. Preska".

LORETTA A. PRESKA
SENIOR U.S. DISTRICT JUDGE

**LIMITED PARKING LOT ACCESS RULE FOR 2021 INTERNATIONAL
BROTHERHOOD OF TEAMSTERS ELECTION**

Article VII, Section 12(e) of the Rules for the 2020-2021 IBT International Union Delegate and Officer Election provides as follows:

Subject to the limitations in this Subsection, (i) a candidate for delegate or alternate delegate and any member of the candidate's Local Union may distribute literature and/or otherwise solicit support in connection with such candidacy in any parking lot used by that Local Union's members to park their vehicles in connection with their employment; (ii) each member of a candidate's Local Union has the reciprocal right to receive such literature and/or solicitation of support from such candidate or candidate's advocate; (iii) a candidate for International office and any Union member within the regional area(s) in which said candidate is seeking office may distribute literature and/or otherwise solicit support in connection with such candidacy in any parking lot used by Union members to park their vehicles in connection with their employment in said regional area(s); (iv) each member of the International Union who is employed within the regional area(s) in which said candidate is seeking office has the reciprocal right to receive such literature and/or solicitation of support from such candidate for International office or candidate's advocate.

The foregoing rights are available only in connection with campaigning during the 2020-2021 IBT International Union Delegate and Officer Election conducted pursuant to the Final Order and only during hours when the parking lot is normally open to employees. The rights guaranteed in this Subsection are not available to an employee on working time, may not be exercised among employees who are on working time and do not extend to campaigning which would materially interfere with the normal business activities of the employer. An employer may require reasonable identification to assure that a person seeking access to an employee parking lot pursuant to this rule is a candidate or other member entitled to such access. Nothing in this Subsection shall entitle any candidate or other Union member to access to any other part of premises owned, leased, operated, or used by an employer or to access to a parking lot for purposes or under circumstances other than as set forth herein.

The foregoing rights are presumptively available, notwithstanding any employer rule or policy to the contrary, based upon the Election Supervisor's finding that an absence of such rights would subvert the Final Order's objectives of ensuring free, honest, fair, and informed elections and opening the Union and its membership to democratic processes. Such presumption may be rebutted, however, by demonstrating to the Election Supervisor that access to Union members in an employee parking lot is neither necessary nor appropriate to meaningful exercise of democratic rights in the course of the 2020-2021 election. An employer seeking to deny access to Union members in an employee parking lot may seek relief from the Election Supervisor at any time.