

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

IN RE: TOM LEEDHAM RANK AND) FILE POWER SLATE,) Protestor.) _____)	Protest Decision 2001 EAD 452 Issued: September 14, 2001 OEA Case No. PR082313NA
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The Tom Leedham Rank and File Power slate (the “Leedham slate”) filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2000-2001 IBT International Union Delegate and Officer Election (“*Rules*”) against the IBT. The protest alleges the IBT has used its website to endorse the reelection effort of General President James P. Hoffa in violation of the *Rules*.

Election Administrator representative Jeffrey Ellison investigated the protest.

We issued our decision in this matter in 2001 EAD 448 (September 12, 2001), and ordered relief in the form of a notice posting. On September 13, 2001, the IBT requested a stay pending appeal.

In light of the short time remaining before the mailing of International officer ballots, and in light of the decisions of the Election Appeals Master in *Martinez*, 01 EAM 87 (August 17, 2001) and *Zimmerman*, 01 EAM 80 (September 14, 2001), which suggest that the IBT’s appeal in this matter is unlikely to succeed on the merits, we DENY the stay. See *Zimmerman*, 2001 EAD 437 (August 21, 2001).

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 Administrator 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
Suite 1000
885 Third Avenue
New York, New York 10022
Fax: 212-751-4864

Copies of the request for hearing must be served upon all other parties, as well as

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upon the Election Administrator for the International Brotherhood of Teamsters, 727 15th Street NW, Tenth Floor, Washington, DC 20005 (facsimile: 202-454-1501), all within the time prescribed above. A copy of the protest must accompany the request for hearing.

William A. Wertheimer, Jr.

William A. Wertheimer, Jr.
Election Administrator

cc: Kenneth Conboy
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DISTRIBUTION LIST VIA UPS NEXT DAY AIR:

Patrick Szymanski
IBT General Counsel
25 Louisiana Ave. NW
Washington, DC 20001

James L. Hicks, Jr., P.C.
Suite 1100
2777 N. Stemmons Freeway
Dallas, TX 75207

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

J. Douglas Korney
Korney & Heldt
30700 Telegraph Road
Suite 1551
Bingham Farms, MI 48025

Barbara Harvey
Penobscot Building
Suite 1800
645 Griswold
Detroit, MI 48226

Betty Grdina
Yablonski, Both & Edelman
Suite 800
1140 Connecticut Ave. NW
Washington, D.C. 20036

Tom Leedham c/o Stefan Ostrach
110 Mayfair
Eugene, OR 97404

Hoffa Unity Slate
Todd Thompson
209 Pennsylvania Ave. SE
Washington, DC 20003

Matt Ginsberg
Tom Leedham Campaign
P.O. Box 6678
Arlington, VA 22206