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Election Officer

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December 5, 1990

VIA UPS OVERNIGHT

George W. Lark
4139 Eden Road
Baltimore, MD 21222

Re: Election Office Case No. P-061-LU639-MID

Dear Mr. Lark:

I am in receipt of your pre-election protest filed November 16, 1990 pursuant to Article XI, of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Election Rules"). In your protest, you allege that the Local Union Election Plan for Local Union 639 is deficient in that the date set for the nominations meeting, December 2, 1990 contravenes the Election Rules. The investigation of your protest shows the following:

On June 15-16, 1990, information meetings were held in Baltimore to inform IBT members of the process for nomination and election of delegates from local unions including Local 639. At that meeting, the timing of nomination and election dates for winter elections for the local was discussed, and Election Rules were disseminated. You were in attendance at the meeting and part of these discussions.

Local 639's Election Plan was submitted to the Election Officer on June 29, 1990, and was available from either the Union or the Election Office after that date.

The approved Local Union Election Plan Summary was transmitted by the Election Office Regional Coordinator to the Local Union by overnight letter dated October 2, 1990. Copies of the Summary were distributed for posting and posting began on October 5, 1990.

The Election Office received no comments or protests with regard to the timing of the nomination meeting at any time between June 15 and November 1990.

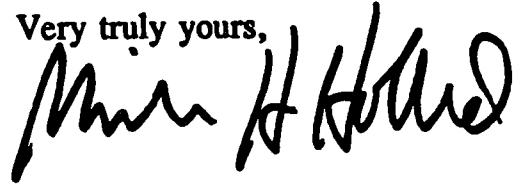
Page 2

Article II, Section 3 of the Election Rules provides that for those Unions nominating and electing their delegates during the winter of 1990-1991, the "nomination of Convention delegates and alternates shall take place during December, January, or February of 1990-1991."

In this case Local Union 639's nominations date of December 2, 1990 is in accordance with the Rules. The protest will, therefore, be denied.

If any interested party is not satisfied with this determination, they may request a hearing before the Independent Administrator within twenty-four (24) hours of their receipt of this letter. The parties are reminded that, absent extraordinary circumstances, no party may rely on evidence that was not provided to the Regional Coordinator in any appeal of the Election Officer's determination regarding the protest.

Very truly yours,



Michael H. Holland

MHH/mjv

cc: Grant Crandall, Regional Coordinator
Crandall & Pyles
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Charleston, WV 25334
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Frederick B Lacey, Independent Administrator