



OFFICE OF THE ELECTION OFFICER  
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Michael H Holland  
Election Officer

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343 South Dearborn Street  
Chicago, IL 60604  
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December 17, 1990

**VIA UPS OVERNIGHT**

Aaron Belk  
6502 Popular Corner  
Walls, MS 38680

Mr. Bill Owens  
Secretary-Treasurer  
IBT Local 667  
796 East Brooks Road  
Memphis, TN 38116

Re: Election Office Case No. P-104-LU667-SOU

Gentlemen:

A pre-election protest was filed under Article XI, §1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules"). The protest concerns a request to Local 667 by the protestor Aaron Belk with respect to the distribution of candidate literature.

By letter dated December 4, 1990, a copy of which was sent to the Election Officer and received in his Washington office on December 10, 1990, Mr. Belk requested of Local 667 distribution of campaign literature to the Local stewards and sought information with respect to such literature distribution. By letter dated the same date, Mr. Belk filed his protest stating "I do not expect Mr. Bill Owens (Secretary-Treasurer of Local 667) to honor my request." This protest was obviously filed prior to Local 667 receiving the initial request from Mr. Belk with respect to literature distribution and certainly prior to any refusal by Local 667 to comply with Mr. Belk's request.

By letter dated December 10, 1990, a copy of which was sent to the Election Officer and received by him in his Washington, D.C. office on December 12, 1990, the Secretary-Treasurer of Local 667 responded to Mr. Belk's request. Mr. Owens responded affirmatively to Mr. Belk's request. Mr. Owens further noted that Local 667 had, as recommended by *Rules*, adopted candidate literature mailing procedures. The procedures so adopted by Local 667 are identical to the procedures set forth in Article VIII, §6 of the *Rules*.

Aaron Belk  
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This protest is DENIED. Further, Mr. Belk is reminded that protests under the Rules are to be filed when there is an alleged violation of the Rules not on the basis that an Rules violation is anticipated.

If any person is not satisfied with this determination, he may request a hearing before the Administrator within twenty-four (24) hours of his receipt of this letter. Such request shall be made in writing and shall be served on Administrator Frederick B. Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, N.J. 07102-5311, Facsimile (201) 622-6693. Copies of the request for hearing must be served on the parties listed above as well as upon the Election Officer, IBT, 25 Louisiana Avenue, N.W., Washington, D.C. 20001, Facsimile (202) 624-8792. A copy of the protest must accompany the request for a hearing. 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.

Very truly yours,

  
Michael H. Holland

MHH/sst

cc: Mr. Frederick B. Lacey  
Larry R. Daves, Regional Coordinator