



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001  
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Michael H Holland  
Election Officer

December 18, 1990

Chicago Office  
% Cornfield and Feldman  
343 South Dearborn Street  
Chicago, IL 60604  
(312) 922-2800

**VIA UPS OVERNIGHT**

Russell Albright  
Secretary-Treasurer  
IBT Local 92  
1127 Ninth St , SW  
Canton, OH 44706

John Fabiano  
95 Fieldwood Rd.  
Waterbury, CT 06704

**Re: Election Office Case No. P-143-LU92-CLE**

Gentlemen:

A pre-election protest was filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") In his protest, Mr Albright alleges that John Fabiano, (Soc Sec No 086-22-3792), is ineligible to run for delegate for the reason that he nominated himself by letter and received no second

The minutes of the nominations meeting for Local 92, taken by Regional Coordinator Joyce Goldstein, and reported to the Election Officer on December 8, 1990, show that candidate John Fabiano did in fact self nominate and received no second

The relevant part of the *Rules*, Article II, § 3(h), provides that to be eligible for nomination, "a member must be nominated and seconded by a member in good standing "

*Rules*, p 14

It follows that since Mr Fabiano was not nominated and seconded by a member in good standing, he is not eligible to run for delegate Accordingly, the protest is upheld, and Mr Fabiano is determined ineligible to run for delegate

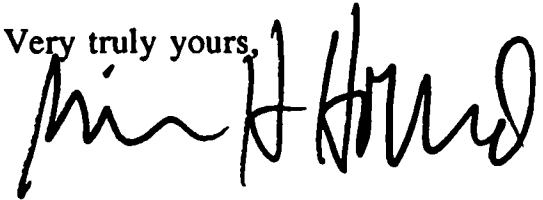
If any interested party is not satisfied with this determination, they may request a hearing before the Independent Administrator within twenty-four (24) hours of their receipt of this letter The parties are reminded that, absent extraordinary circumstances, no party may rely

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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 Independent Administrator Frederick B. Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, New Jersey 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.

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Very truly yours,

A handwritten signature in black ink, appearing to read "Michael H. Holland". The signature is written in a cursive style with a large, prominent "M" and "H".

Michael H. Holland

MHH/mjv

cc Joyce Goldstein, Regional Coordinator

Frederick B. Lacey, Independent Administrator, IBT