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Michael H Holland
Election Officer

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January 2, 1991

VIA UPS OVERNIGHT

Samuel M Carter
1617 Andover Street
Concord, NC 28027

James E Bingham
2001 Elaine Circle
Florence, SC 29501

Duane Gray
Route 8
Florence, SC 29501

Conrad D Sides
President
IBT Local Union 71
5000 N Tryon Street
Charlotte, NC 28256

Willie Ford
Route 3
Dillon, SC 29536

Re Election Office Case No P-161-LU71-MID

Gentlemen

A pre-election protest has been filed under Article XI, §1 of the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Rules") In his protest, Mr Samuel Carter contends that Mr James E Bingham, has not been properly nominated for the position of alternate delegate, and that he should, therefore, be disqualified as a candidate on the slate "Rank and File Teamsters for Reform "

The investigation shows as follows Mr Bingham signed his name to the "Rank and File Teamsters for Reform Slate" indicating that he sought the position of alternate delegate He was nominated in writing by Duane Gray, and his nomination was seconded in writing by Willie Ford Mr Bingham accepted his nomination in writing All three written documents which were offered at the nominations meeting indicate that the nomination, second and acceptance of Mr Bingham is for the position of delegate rather than alternate delegate Thus Mr Bingham was properly nominated for the position of delegate but not for alternate delegate

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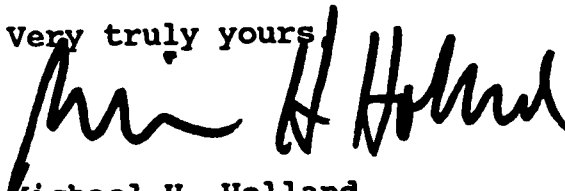
Subsequent to the nominations meeting, an amended Slate declaration form was filed by the Rank and File Teamsters for Reform, substituting a name other than Mr. Bingham's on the slate for alternate delegate.

The Election Officer finds that Mr. Bingham has been properly nominated and he has accepted the nomination for the position of delegate; therefore his name can appear on the ballot as an independent candidate for that position. Since the slate has been amended, and Mr. Bingham's name no longer appears as a candidate for the position of alternate delegate, this aspect of the protest is moot.

Accordingly, the protest is DENIED.

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/MJC/sst

cc: Mr. Frederick B. Lacey
Grant Crandall, Regional Coordinator