



OFFICE OF THE ELECTION OFFICER  
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Michael H Holland  
Election Officer

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January 18, 1991

**VIA UPS OVERNIGHT**

Archie Long  
1930 Fort Worth St  
Grand Prairie, TX 75050

T.C. Stone  
Secretary-Treasurer  
IBT Local Union 745  
1007 Jonelle St.  
Dallas, TX 75217

Re: Election Office Case No. P-265-LU745-SOU

Gentlemen:

A pre-election protest was timely 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 Archie Long alleges that (1) T.C. Stone has impermissibly used Local 745 stationery, envelopes, and permit number to mail campaign literature; (2) that the notice of nominations meeting does not clearly identify the number of candidates that can be elected from Local 745, and (3) that the January 6, 1991 general membership meeting was improperly used for campaign activity by T.C. Stone and his slate.

The investigation shows the following: T.C. Stone is a candidate for delegate to the 1991 IBT International Convention. Mr. Stone has mailed campaign literature to members of Local 745. The envelope that contained the campaign mailing was marked "T.C. for V.P. Slate" in the return address portion of the envelope; the postage showed as First Class Postage paid Permit #3466. Mr. Stone supplied an envelope with the Union letterhead for comparison. That envelope is mailed at Bulk Rate and shows the same mail permit number #3466. The evidence showed that permit #3466 is the registered postmark of the mailing service "The Mail Man." That service is utilized by the Local as well as Mr. Stone. That service is also available to other delegate and alternate delegate candidates and slates. Mr. Stone furnished the Election Officer receipts showing that his campaign mailing was personally financed in all respects. The material (both envelopes and letters) was printed by Reilly Echols, Printing and paid for by Mr. Stone. Because there is no evidence of Union financing, there is no violation of the *Rules*. This aspect of the protest is DENIED.

Archie Long  
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The second portion of Mr. Stone's protest challenges the notice of nomination of candidates for delegate and alternate delegate. This aspect of the protest was previously discussed and decided in P-244-LU745-SOU, between these same parties, which decision is incorporated herein by reference.

The third part of Mr. Long's protest concerns alleged campaigning by candidates at the January 6, 1991 general membership meeting. However, Mr. Long was not present at the meeting and he has not offered the names of other members who did attend the meeting and who could provide information about the allegation. This aspect of the protest is DENIED because of lack of evidence.

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 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.

Very truly yours,



Michael H. Holland

MHH/mca

cc Frederick B Lacey, Independent Administrator  
Larry R Daves, Regional Coordinator