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Michael H Holland
Election Officer

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January 25, 1991

VIA UPS OVERNIGHT

Louis D. Riga
Secretary-treasurer
IBT Local Union 576
1510 Park Ave., Suite 100
San Jose, CA 95126

Chuck Mack
President
IBT Joint Council 7
150 Executive Park Blvd.
Suite 2900
San Francisco, CA 94134

Editor
Northern California Teamster
c/o IBT Joint Council 7
150 Executive Park Blvd.
Suite 2900
San Francisco, CA 94134

Re: Election Officer Case No. P-³⁰⁶-JC7-CSF

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 ("Election Rules"). In his protest the complainant, Louis D. Riga, contends that his rights under the Election Rules were violated by an article concerning his candidacy for General President of the IBT which appeared in the January, 1991 edition of the Northern California Teamster. The Election Officer's investigation revealed the following.

Louis D. Riga is an announced candidate for General President of the IBT. In November, 1990, the Northern California Teamster published a front page article about IBT General President McCarthy's decision not to seek another term as General President and McCarthy's endorsement of IBT International Vice President R. V. Durham to succeed him. Large portrait photos of McCarthy and Durham were part of the article. While Mr. Riga receives the Northern California Teamster, he did not file a protest concerning the coverage of Mr. Durham.

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A protest was filed by another IBT member, alleging that the article and photo of Durham violated Article VIII, Section 7 of the Election Rules, see Election Office Case No. P-054-JC7-CSF. To resolve this protest, the Northern California Teamster agreed to publish a similar article, with photographs, concerning the three other announced candidates for IBT General President. Mr. Ron Carey, Mr. Walter Shea and Mr. Riga were informed that the paper would be running a similar article and invited the candidates to submit biographical material and photographs.

Mr. Riga complains that the item that he submitted to the editor of the paper was not printed. The purpose of the remedy in P-054-JC7-CSF, was not to provide the candidates with an open forum in a union publication, see Election Rules Article VIII, Section 9, but to resolve an alleged violation of the Election Rules with respect to the Northern California Teamster's previous coverage of candidates for IBT General President. The Election Officer finds that the text of the article about Mr. Riga, and the other candidates for IBT General President, remedies the past protest and does not constitute a violation of the Rules.

The Northern California Teamster, as part of the resolution of the protest in P-054-JC7-CSF, also agreed to publish photographs of the other candidates for IBT General President. The photographs of McCarthy and Durham in the November edition of the Northern California Teamster are standard shoulders up portraits. Mr. Carey and Mr. Shea provided similar portrait photos. However, Mr. Riga provided the paper with a waist up standing photo. In order to present photos of the candidates in the same format as the McCarthy and Durham photos, the editor of the paper cropped and enlarged the Riga photo. Because the image of the cropped portion of the Riga photo was enlarged, it is not as clear as the original. The Election Officer finds that the difference in quality of the Riga photo, if any, is negligible.

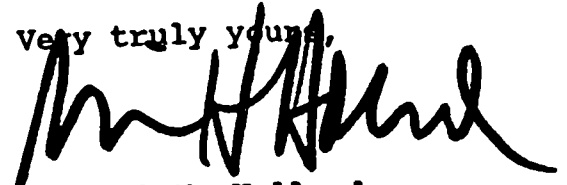
For the foregoing reasons, the Election Officer finds that the Election Rules have not been violated and therefore the instant protest is denied.

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 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.

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C. 20001, Facsimile (202) 624-8792. A copy of the protest must
accompany the request for a hearing.

Very truly yours,



Michael H. Holland
Election Officer

cc: Frederick B. Lacey, Independent Administrator, IBT
Donald E. Twohey, Regional Coordinator