



OFFICE OF THE ELECTION OFFICER
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Michael H Holland
Election Officer

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February 25, 1991

VIA UPS OVERNIGHT

James B Moody, Jr
2712 Wardlow Avenue
San Diego, CA 92154

Richard Aceves
Secretary-Treasurer
Teamsters Local 542
46666 Mission George Plaza
San Diego, CA 92120

Re: Election Office Case No. P-~~523~~LU311-MID

523

Gentlemen

The above referenced 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 James Moody alleges that the *Rules* have been violated because he has not been provided with an accurate membership list by the Local and is therefore unable to complete his campaign mailing

The protest was investigated by Regional Coordinator Geraldine Leshin Mr Moody has now requested to withdraw his protest

The Election Officer concludes that approval of the withdrawal is consistent with the purpose of the *Rules*

Accordingly, the withdrawal request is approved

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)

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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
Geraldine Leshin, Regional Coordinator