

January 16, 1997

VIA UPS OVERNIGHT

Mike McLennan
19120 68th Avenue
Surrey, BC V4N 3G6

Chuck Bruce
Teamsters Local Union 464
490 E. Broadway
Vancouver, BC V5T 1X3

David P. Kozak, Secretary-Treasurer
Teamsters Local Union 464
490 E. Broadway
Vancouver, BC V5T 1X3

Re: Election Office Case No. P-1343-LU464-PNW

Gentlemen:

Mike McLennan, a member of Local Union 464, filed materials with the Election Officer on December 5, 1996 that were docketed as a pre-election protest pursuant to Article XIV, Section 2(b) of the ***Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")***. Mr. McLennan originally intended the materials to support an earlier-filed protest by Local Union 464 member Nancy Sampson alleging harassment by Local Union 464 Business Agent Chuck Bruce and others. However, the Election Officer had granted Ms. Sampson's protest earlier that day (Sampson, P-1316-LU464-PNW (December 5, 1996)) and therefore docketed Mr. McLennan's materials, which alleged a physical confrontation between himself and Mr. Bruce, as a new protest.

This protest was investigated by Regional Coordinator Christine M. Mrak.

Mr. McLennan's confrontation with Mr. Bruce took place on February 20, 1996. The investigation revealed that the subject of the confrontation was not related to the International union delegate and officer election. Therefore, the incident involving Mr. McLennan is outside of the jurisdiction of the Election Officer.

For the foregoing reasons, the protest is DENIED.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within one day of receipt of this letter. The parties are reminded

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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:

Kenneth Conboy, Esq.
Latham & Watkins
885 Third Avenue, Suite 1000
New York, NY 10022
Fax (212) 751-4864

Copies of the request for hearing must be served on the parties listed above as well as upon the Election Officer, 400 N. Capitol Street, Suite 855, Washington, DC 20001, Facsimile (202) 624-3525. A copy of the protest must accompany the request for a hearing.

Sincerely,

Barbara Zack Quindel
Election Officer

cc: Kenneth Conboy, Election Appeals Master
Christine M. Mrak, Regional Coordinator