

..... -X
 INVESTIGATIONS OFFICER, :
 Claimant, :
 -v- :
 EDWARD DOYLE, :
 President, :
 HOUSTON POLLARD, :
 Vice President, :
 BERNARD DOYLE, : AFFIDAVIT AND AGREEMENT
 Secretary/Treasurer, :
 GEORGE GRAFF, :
 Trustee, :
 and :
 ROBERT BELENCHIA, :
 Trustee, :
 Local 456 :
 160 S. Central Ave. :
 Elmsford, NY 10523 :
 Respondents. :
 -X

EDWARD DOYLE, HOUSTON POLLARD, BERNARD DOYLE, GEORGE GRAFF and ROBERT BELENCHIA, depose and say, and agree as follows

1. We make this affidavit and agreement (the "agreement") to resolve charges filed against us on September 14 1992 (the "charges") by the Investigations Officer Charles M. Carberry, appointed pursuant to the consent order entered March 14, 1989 in United States v. International Brotherhood of Teamsters, 88 Civ. 4486 (DNE) (SDNY) (the "Consent Order"). Copies of the charges are annexed as Exhibit A and are incorporated herein by reference.

2. We make this affidavit and agreement (the "agreement") to resolve the charges. This agreement does not constitute an admission or denial of the charges.

3. Edward Doyle is currently President of Local 456. Houston Pollard is currently Vice President of Local 456. Bernard Doyle is currently Secretary/Treasurer of Local 456. George Graff is currently a Trustee of Local 456. Robert Belenchia is currently a Trustee of Local 456.

4. We have jointly caused the sum of \$11,881 to be restored, out of private funds, to the account of Local 456. We represent that no union funds have been or will be used for the repayment.

5. We have entered into this agreement on the understanding that the Investigations Officer will not pursue the attached charges against us. We understand that the Investigations Officer's agreement is limited to the charges attached and that he expressly reserves the right to pursue charges against any other officer or entity of the IBT or Local 456, arising out of the allegations contained in the charges or any other investigations.

6. We agree that this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, we understand he will submit it to the district court for that court to enter it as an order.

7. The Investigations Officer makes no representation as to any action that may be taken by the Independent Administrator or the court with respect to this agreement. In the event that either the court or the Independent Administrator

~~do not approve this agreement, we may individually elect to~~
proceed with a hearing on the charges.

8. We make this agreement freely, under no duress or coercion of any kind, and after consultation with our attorney.

9. This Agreement is not effective until it has been signed below by the Investigations Officer and the Independent Administrator.

Edward Doyle
Edward Doyle
President

Bernard Doyle
Bernard Doyle
Secretary/Treasurer

Houston Pollard
Houston Pollard
Vice President

George Graff
George Graff
Trustee

Robert A. Belenchia
Robert Belenchia
Trustee

Sworn to before me this
23 day of September, 1992

Eileen March
Notary Public

EILEEN MARCH
NOTARY PUBLIC, State of New York
No. 4135417
Qualified in Westchester County
Commission Expires December 30, 1998

Ray J. [Signature]
Counsel for Respondents

Agreed: Charles M. [Signature] 9/24/92
Investigations Officer

Approved: [Signature] 10/1/92
Independent Administrator

SO ORDERED: [Signature] 10/6/92
Hon. David N. Edelstein
U.S. District Judge

	X
INVESTIGATIONS OFFICER,	:
Claimant,	:
- v -	:
	<u>CHARGE</u>
EDWARD DOYLE	:
President	:
Local 456	:
160 S. Central Ave.	:
Elmsford, NY 10523	:
Respondent.	:
	X

SIR:

You are hereby advised that the Investigations Officer has charged you with the violations listed below in accordance with the powers granted to him pursuant to Section F. (COURT APPOINTED OFFICERS), Paragraph 12(A) of the order entered in United States v. International Brotherhood of Teamsters, et al., 88 CIV. 4486 (DNE) (SDNY) on March 14, 1989 ("the Consent Order"). A copy of the consent order is enclosed.

The time and place of the hearing of this matter will be set by the Independent Administrator, Frederick B. Lacey, and he will notify you accordingly.

Charge

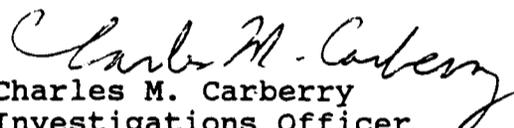
You are charged with violating the IBT Constitution, Article XIX, Section 7(b) (1) and (2) by bringing reproach upon the IBT and by violating Section 17(c) of Local 456's bylaws by agreeing on March 26, 1990 to give indirectly to Lou Sansone, the former president of the Local, a car owned by the Local and

valued at \$11,881.18. This transfer was in violation of the Local's bylaws which forbids transferring title of the Local's car and contrary to the interests of the members.

TO WIT; from funds raised at a testimonial dinner in which employers and others paid substantially more than the price of the meal for a ticket you raised over \$24,000. You used this money plus an additional \$800 of Local funds and the trade-in value of a Local car, then assigned to Sansone, for an additional \$11,881 to pay for a new car given to Sansone.

Dated: September 14, 1992
New York, New York

Very truly yours,


Charles M. Carberry
Investigations Officer

cc: Frederick B. Lacey, Esq.
Richard Gilberg, Esq.
Steven Bennett, Esq.

	X
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Claimant,	:
- v -	:
	<u>CHARGE</u>
HOUSTON POLLARD	:
Vice President	:
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Dated: September *14*, 1992
New York, New York

Very truly yours,

Charles M. Carberry
Charles M. Carberry
Investigations Officer

cc: Frederick B. Lacey, Esq.
Richard Gilberg, Esq.
Steven Bennett, Esq.

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Claimant,	:
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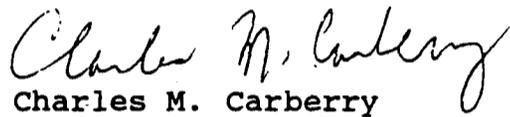
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Dated: September 14, 1992
New York, New York

Very truly yours,


Charles M. Carberry
Investigations Officer

cc: Frederick B. Lacey, Esq.
Richard Gilberg, Esq.
Steven Bennett, Esq.

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- v -	
ROBERT BELENCHIA Trustee Local 456 160 S. Central Ave. Elmsford, NY 10523 Respondent.	X

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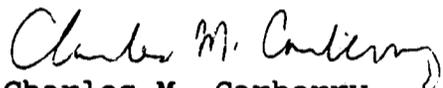
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Dated: September 17, 1992
New York, New York

Very truly yours,


Charles M. Carberry
Investigations Officer

cc: Frederick B. Lacey, Esq.
Richard Gilberg, Esq.
Steven Bennett, Esq.

INVESTIGATIONS OFFICER, Claimant,	X
- v -	:
GEORGE GRAFF	:
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Dated: September 14, 1992
New York, New York

Very truly yours,

Charles M. Carberry
Charles M. Carberry
Investigations Officer

cc: Frederick B. Lacey, Esq.
Richard Gilberg, Esq.
Steven Bennett, Esq.