



Local 682, was a member of La Cosa Nostra and associated with members of La Cosa Nostra.

Specifically, the Investigations Officer charged that Sansone knew that public reports and the media had identified Parrino as a member of La Cosa Nostra, that Sansone knew Parrino associated with members of La Cosa Nostra, but that Sansone "deliberately failed to investigate or to act in connection with the allegations of [Parrino's] membership in organized crime . . . ."

A hearing was held before me and post-hearing submissions were received. Having reviewed the evidence and the submissions of the parties, I find that the Investigations Officer has met his just cause burden of proving by a preponderance of the evidence the charge against Sansone. See United States v. IBT, 754 F. Supp. 333, 337-338 (S.D.N.Y. 1990) ("[T]he Investigations Officer must establish just cause at disciplinary hearings by a fair preponderance of the evidence.").

#### **THE IBT CONSTITUTIONAL PROVISIONS**

The charge against Sansone implicates two provisions of the IBT Constitution. First, Article XIX, Section 6(b), which sets forth a non-exhaustive list of grounds for bringing disciplinary charges. That list includes:

(1) Violation of any specific provision of the Constitution, Local Union By-laws or rules of order, or failure to perform any of the duties specified thereunder.

(2) Violation of oath of office or of the oath of loyalty to the Local Union and International Union.

Second, Article II, Section 2(a), is also implicated. This section, which contains the oath of office mentioned in Article

XIX, Section 6(b)(2), mandates that all members shall conduct themselves "at all times in such a manner as not to bring reproach upon the Union . . . ."

#### **BACKGROUND**

Sansone has been an IBT member for 29 years and an officer of IBT Local Union 682 in St. Louis, Missouri for 26 years. IO Ex. 5 at pp. 5-7.<sup>1</sup> He has been the Local's President since 1976, having been elected to that post after serving as Vice President, Recording Secretary and Trustee. T267-15 to 18<sup>2</sup> Currently, Sansone is President of Joint Council 13, President of the Missouri-Kansas Conference of Teamsters and an International Representative. He is also a Trustee for the Central States Southeast/Southwest area pension and Health and Welfare funds, and a Trustee for the Local 682 Health and Welfare fund. IO Ex. 5 at pp. 6-7.

Parrino was also a long time IBT member. He was an officer of Local 682 for 23 years, and served as Vice President from approximately 1978 until his resignation on March 15, 1991.

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<sup>1</sup> Investigations Officer's exhibits are referred to as "IO Ex." followed by the letter identifying the exhibit and then the page number of the exhibit if appropriate.

<sup>2</sup> All transcript references are to the November 21, 1991, hearing. The citation refers to the transcript page number followed by the line number. In this case, "T267-15 to 18" refers to transcript page 267, lines 15 through 18.

#### **MEDIA COVERAGE OF PARRINO'S ORGANIZED CRIME TIES**

In 1980, articles began to appear in the St. Louis newspapers linking Parrino with the St. Louis crime family of Anthony Giordano ("Giordano"). Giordano died in 1980, and the newspapers reported on the ensuing power struggle in the St. Louis family. On December 28, 1980, a St. Louis Post-Dispatch article reported that Parrino had met with St. Louis mob leaders ten days before Giordano's death to discuss the selection of Giordano's successor. IO Ex. 1(C)(5). The article also stated that Parrino "often is seen in the company of top hoodlums." Id. A Post-Dispatch article dated April 26, 1981, asserted that Parrino was being groomed for leadership by John J. Vitale ("Vitale") who reportedly retained power in the St. Louis family after Giordano's death. The article identified Parrino as an officer of Local 682 and reported that "Parrino is seen more frequently in Vitale's company and that Parrino does many of Vitale's jobs for him." Id. Vitale died in 1982. IO Ex. 1(C)(7).

On June 7, 1982, the Post-Dispatch reported that the St. Louis underworld was floundering after the death of Vitale. Referring to the paper's earlier coverage, the article read in part: "It was then reported that Anthony Parrino, an officer of Teamsters Local 682, was in line for the role of boss. But this apparently also has not come about." IO Ex. 1(C)(7). Again, on June 27, 1982, the Post-Dispatch reported that the Chicago mob was moving into the power vacuum created in the St. Louis underworld by the deaths of

Giordano and Vitale. That report discussed the possible successors to Giordano and observed that: "The other candidate was Anthony Parrino, an official of Teamster's Local 682. But sources said he also did not want the leadership." IO Ex. 1(C)(8).

On November 5, 1982, the Post-Dispatch reported that the FBI was investigating organized crime in the St. Louis area. The article asserted that the prime targets of the investigation were "made guys" or formally initiated members of the mob. The article then placed Parrino's name at the top of a list of such "prime targets," identifying him as a Vice President of Teamsters Local 682 and stating that "he is considered to be a high ranking member of the St. Louis organized crime family of the late Anthony Giordano." IO Ex. 1(C)(9). The article then described the FBI's surveillance activities and the tactics that the mob used to evade surveillance. In this context, the paper reported that Parrino had been observed using a car owned by Local Union 682 to transport four unidentified men from a supermarket parking lot to a known mob hangout. IO Ex. 1(C)(10).

Another wave of media coverage linking Parrino with the St. Louis mob occurred in 1986. The focus of these articles was the trial of Matthew Trupiano ("Trupiano") who had ultimately taken over leadership of the St. Louis family after the deaths of Giordano and Vitale. In an article dated February 27, 1986, the Post-Dispatch, reporting on the prosecution of Trupiano and his associate Frank C. Parrino for illegal gambling, asserted that:

"[Frank] Parrino is a brother of Anthony (Nino) Parrino, Vice President of Teamster Local 682 and a longtime associate of organized crime figures."

Another St. Louis newspaper, the Globe Democrat, printed an article on July 11, 1986 that quoted a tape recording played at the Trupiano-Parrino trial identifying "Nino" as the "consigliere" or trusted advisor to the St. Louis crime family. The article explained that "Nino" referred to Anthony Parrino. IO Ex. 1(C)(11).

On April 3, 1986, the Post-Dispatch ran a story based on a sentencing memorandum filed with the Court in the aftermath of the Trupiano-Parrino trial. That memorandum highlighted a taped April 22, 1983, discussion between Trupiano, Vincenzo "Jimmy" Giammanco, and Anthony Parrino. Parrino is identified in the article as a union official with Teamster Local 682. IO Ex. 2. See also, IO Ex. 3 (April 4, 1989, Post Dispatch article).

On February 19, 1988, the Post-Dispatch published an article alleging that three labor unions in the St. Louis area, including IBT Local 682, had contracts with an employer that paid union members less than union scale wages, thus enabling the employer to underbid its competitors for work on a construction project. Sansone Exhibit 1-D. The article further alleged that all three unions were "to varying degrees, under the control or influence of organized crime." Id. Sansone wrote to the Post-Dispatch reporter denying the story, demanding to know what facts it was based on,

and stating that he was investigating the situation and would remedy any failure to pay IBT members the full union scale. Id. The Post-Dispatch published a story on Sansone's objections, consisting in large part of verbatim excerpts from his letter. Id.

#### **SANSONE'S RESPONSE TO THE ALLEGATIONS**

At the hearing before me, Sansone and Clyde Craig ("Craig"), one of Local 682's attorneys, testified that Sansone and the Local executive board had discussed the issue of Parrino's alleged organized crime ties. T149-21 to T152-10. Craig testified that he advised Sansone in 1981 or 1982 that the newspaper reports published around that time about Parrino and the St. Louis mob were unreliable. T148-17 to T149-6. Sansone stated that he asked Parrino whether or not the newspaper reports were true and that Parrino assured him the reports were false. IO Ex. 5 at pp. 20-21.

Craig also testified that, after the 1986 newspaper articles were published, Sansone met twice with the executive board to again discuss Parrino's alleged relationship to organized crime. T149-12 to T152-8. Craig stated that he advised Sansone that the news reports were fundamentally inaccurate and that no action regarding Parrino could be taken. T148-14 to T149-6; T153-3 to 12.

Sansone testified that, in the aftermath of the 1986 articles, he again asked Parrino about his crime connections, and that Parrino denied involvement. Sansone stated that he cautioned Parrino about associating with mob figures but that he also told

Parrino that he could not control Parrino's socializing. T265-15 to T270-7.

In 1989, Sansone received copies of allegations made by former IBT General President Jackie Presser ("Presser") to the FBI, under the code name "Alpro," about Local 682 and its connection with organized crime. T279-2 to 12. Presser alleged, inter alia, that Sansone "answered up" to Parrino who was "connected" to the St. Louis crime family. T280-2 to 6; IO Ex. 1(H)(1). Sansone denied that he "answered up" to Parrino. T280-7 to 25. Sansone also stated that he asked Craig what he should do about the Presser allegations. Craig advised that nothing could be done. T287-1 to 11.

Also in 1989, after Craig returned from a conference of lawyers who represent the IBT and its affiliates where the March 14, 1989, Consent Decree was discussed, he advised Sansone to obtain outside counsel for further advice on the issue of Parrino and his alleged ties to La Cosa Nostra. T289-3 to T291-24. Sansone retained Gerry Miller ("Miller"), an attorney with long-time experience in IBT matters, to analyze the issue and furnish an opinion. However, Sansone viewed as inconclusive the opinion letter that Miller ultimately provided. T292-6 to 14.

It is not clear what exactly Sansone expected Miller to analyze. Sansone testified that he "wanted some answers" from Miller. T291-14 to T292-4. Miller's opinion letter focuses on the issue of Sansone's liability for "knowingly associating" with

Parrino, given Parrino's ties to organized crime. See Sansone Ex. 2.

Sansone met with Miller and Parrino, on January 16, 1990, to discuss whether or not Parrino should resign. T244-11 to 20. At that meeting Parrino insisted that he had not done anything wrong, that he socialized with "these people" because he had grown up with them but that he was not "involved" with them and did not feel he should have to resign. T294-21 to T295-11. Sansone then held a private meeting with Parrino in which Parrino argued that he had been loyal to Sansone and would not force Sansone to resign if their respective positions were reversed. T295-16 to 24. Sansone then considered the matter until May or June when he decided not to fire Parrino. T296-9 to 21.

Sansone states he did not fire Parrino because he believed that the Miller legal opinion was too inconclusive, that the newspaper articles lacked credibility, that Parrino had done a good job as a business representative, and that firing him would be unfair. T296-20 to T297-23.

On March 13, 1991, the Investigations Officer charged Parrino with being a member of La Cosa Nostra while an officer of Local 682 and knowingly associating with members of La Cosa Nostra, including Matthew Trupiano, Anthony Giordano, John Vitale and James Giacamo. Craig informed Sansone of the charge against Parrino on March 14, 1991. Craig also advised Sansone to "take action." T298-6 to 13. Craig, Sansone and Parrino met on March 15. T298-15 to T299-8.

Parrino immediately resigned. T298-11 to T300-4. The charges against Parrino were formally resolved with the Investigations Officer by agreement on June 11, 1991.<sup>3</sup> In his agreement with the Investigations Officer, Parrino neither admitted nor denied guilt. Parrino did agree, however, that in addition to resigning, he would not seek or accept any office, membership, or employment, paid or unpaid, in any IBT entities at any time in the future.

Sansone originally stated, in a sworn in-person examination before the Investigations Officer prior to the hearing, that he never discussed the issue of Parrino's reputed involvement in organized crime with the general membership of Local 682. IO Ex. 5 at p. 15. However, at the hearing, James A. Lysell ("Lysell"), former Local 682 member,<sup>4</sup> recalled that the members had asked Sansone about Parrino's crime ties at a general membership meeting in 1981 or 1982 and Sansone had informed the membership that he had no control over Parrino's private life. T24-20 to T25-18. At the hearing, Sansone testified that it was he who brought the issue up at membership meetings. T316-5 to 15. Benjamin F. Bond ("Bond"),

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<sup>3</sup> In his agreement with the Investigations Officer, the date of Parrino's resignation is given as March 14, 1991.

<sup>4</sup> Lysell ran against Sansone in 1984 for the position of President, but lost by a four to one margin. T29-4 to 7. Lysell stated that no Local 682 incumbent has ever lost an election, and that vacancies on the executive board were filled by appointment between elections. T39-14 to T40-4. Lysell had challenged Sansone on the issue of Sansone's inaction regarding Parrino and other Local 682 officers accused of corruption. Lysell stated that at one point he informed Sansone that he would cause Sansone no further problems and that the membership would support Sansone if he got rid of Parrino. T23-18 to T24-12; T29-18 to T30-5.

Local 682's current Secretary-Treasurer, stated that the issue of Parrino's crime ties was routinely discussed at membership meetings "basically everytime the articles surfaced or came out." T261-11 to 16. According to Bond, Sansone "would bring it to the membership first, and then they would ask questions from the floor." T262-3 to 9.

#### **MERITS OF THE CHARGE**

The gravamen of the Investigations Officer's charge is that Sansone, as a fiduciary for the members, had an affirmative duty to investigate the reports that his Vice President, Parrino, was a member of organized crime and to act on the results of his investigation. Sansone, it is alleged, violated this fiduciary duty by "deliberately ignoring the evidence and failing to investigate the serious and persistent allegations that Parrino was an LCN [La Cosa Nostra] member." Investigations Officer's Reply Memorandum at p.2.

The fiduciary duty of a union officer to investigate the alleged corruption of fellow officers is well established. United States v. IBT, 708 F. Supp 1388, 1401 (S.D.N.Y. 1989) (IBT officers are fiduciaries for the members and have "a duty to disclose and remedy wrongdoing by the IBT") citing, United States v. IBT Local 560, 780 F.2d 267, 284 (3d Cir. 1984); United States v. IBT, 761 F. Supp. 317, 316 (S.D.N.Y. 1991) (upholding the Independent

Administrator's veto of the appointment of Jack B. Yager to International office on the grounds that Yager failed to act on evidence that his close superior was an associate of organized crime); Investigations Officer v. Calagna et. al., Decision of the Independent Administrator at 23, aff'd United States v. IBT, 88 Civ. 4486 (DNE), slip op. (S.D.N.Y. November 8, 1991) ("The fundamental premise of these decisions . . . is that all IBT officers . . . have a duty to investigate allegations of corruption in their midst. Respondents cannot sit idly by as their Local Union is engulfed by organized crime and not expect to face the consequences of their inaction.") As the Honorable David N. Edelstein noted in affirming the Calagna decision: "IBT officers are fiduciaries with respect to Union members and have a duty to investigate and remedy corruption in the Union." United States v. IBT, 88 Civ. 4486 (DNE), slip op. at p. 2 (S.D.N.Y. November 8, 1991).

Thus, it is clear that, as the principal officer of Local 682, Sansone "had an affirmative duty to investigate the various allegations and suspicious activities surrounding" Parrino. See Investigations Officer v. Morris and McNeil, Decision of the Independent Administrator at p. 24, aff'd, United States v. IBT, 777 F. Supp. 1123 (1991).

It is important to distinguish the issue of Sansone's duty to investigate and act from the issue of whether the underlying allegations against Parrino are true. At the hearing, the

Investigations's Officer offered an affidavit (IO Ex. 1) and testimony by Frank Pasieka ("Pasieka"), an FBI agent with 19 years of experience in investigating organized crime. Pasieka claimed expert knowledge of activity within the St. Louis crime family. IO Ex. 1, pp. 1-2. Pasieka's affidavit and testimony, if accepted as credible, would support the allegation that Parrino is a member of organized crime. Sansone however objects that Pasieka's affidavit and testimony are unreliable hearsay which should be rejected. Respondent's Post Hearing Brief at pp. 21-45. As I stated in Morris and McNeil, supra, at p. 24, however, when the issue involved the failure of a Local's executive board to investigate allegations that a Local Union officer, Grancio, was an organized crime member:

This argument misses the point. I do not, and need not, determine whether the Investigations Officer's allegations surrounding Grancio's organized crime connections have been proven. The respondents are not charged with "knowingly associating" with Grancio. Rather, the evidence regarding Grancio's organized crime ties is offered to show that responsible officers of Local 707 should have been on notice of allegations concerning the activities of Grancio and they should have investigated the truth of these matters.

Similarly here, Sansone is not charged with "knowingly associating," with Parrino, and Parrino is not charged at all. Thus, I need not address the Investigations Officer's evidence of Parrino's organized crime activities. As a preliminary matter, all I need decide is whether Sansone was on notice of allegations concerning Parrino's organized crime ties. Given the background developed here, this cannot be disputed.

Having been put on notice, Sansone was not free, as he argues, to sit back and await further action by governmental authorities before using his own authority and access to resources to investigate and act on the allegations regarding Parrino. As I noted in Calagna:

Respondents contend that it is unfair to expect them to conduct an investigation into the numerous allegations of corruption in their Local because they lack the expertise, resources and education to conduct such an elaborate investigation.

I am aware of the difficulties involved in a Local investigating wrongdoing by one of its offices. However, unless this obligation is placed on responsible officers, who is going to do it? The lack of experience or investigative background is no excuse. [Calagna, supra, Decision of the Independent Administrator at pp. 24-25].

As the Investigations Officer notes, Sansone could have sought assistance from the authorities; could have obtained the publicly filed Trupiano sentencing memorandum, or even the tape recording to which it refers; could have arranged a polygraph test or an in depth interview of Parrino by a trained professional; could have hired a private investigator; or could have asked his advisors to investigate and develop the facts of the case for his review. The point of all these suggestions is not that any one or more of them is an essential element of the proper discharge of Sansone's duty to investigate, but rather that reasonable means of investigation were available. There is simply no justification for inaction on the grounds that an investigation was not feasible.

Sansone's defense that he did act by seeking advice from counsel must also fail. None of the advice solicited by Sansone addressed the issue of his fiduciary duty to investigate and act. The Local 682 attorneys offered a layman's opinion that Sansone could not believe what he read in the newspapers. See T148-1 to T149-6. The Miller opinion is an inconclusive consideration of Sansone's own potential liability for "knowingly associating" with Parrino. See Sansone Ex. 2 at p. 6 ("[W]e are in no position to provide a legal opinion that Local 682 officials can safely continue on-the-job associations with the local union officer in question."). Simply put, Sansone cannot rely on the advice of counsel defense because he did not solicit, nor did he receive any advice relevant to the issue of his duty to investigate and act in response to the allegations of Parrino's organized crime ties.

Moreover, no expertise, legal or otherwise, is required to understand that a member of organized crime would not belong on the executive board of a labor union. Thus, it follows that allegations linking a fellow union officer with organized crime cannot be ignored without an investigation. Accordingly, it is no answer under any circumstances that Sansone purports to have relied on advice of counsel in failing to act on allegations and evidence of Parrino's organized crime activities. Under these circumstances, the duty to investigate and act was obvious.

Sansone also asserts that his duty to investigate and act would be more compelling if the allegations of Parrino's alleged

activities were "within" the union. Respondent's Post-Hearing Brief at 51-52. This argument is rejected. Even if an organized crime member did not directly harm the union by embezzling or extorting its resources, the union would nevertheless be tainted by the association, while at the same time it would be providing the member in question with a salary and an expense account, a veneer of respectability, and a base of operations and support for criminal activity. As I have made clear many times in the past, members of organized crime and their associates have no place in this Union. See, e.g., Investigations Officer v. Cozza, Decision of the Independent Administrator (January 4, 1991), aff'd, United States v. IBT, 764 F. Supp. 797 (1991); Investigations Officer v. Senese, et al., Decision of the Independent Administrator (July 12, 1990), aff'd, United States v. IBT, 753 F. Supp. 1181 (1990), aff'd, 941 F.2d 1292 (1991).

The allegations about Parrino intimately implicated the affairs and functions of the Union. Nevertheless, in the final analysis, it is clear that Sansone and his advisors turned a blind eye to the alleged corruption in their midst. There was never any genuine acceptance of an affirmative duty to investigate and act on reports of Parrino's ties to organized crime. The persistent discounting of the media reports linking Parrino with the St. Louis La Cosa Nostra is part of the problem. There was never any effort to genuinely consider or critically evaluate any aspect of the many stories that surfaced. Instead, even explicit, detailed statements

by verifiable sources, including tapes of recorded conversations, were mischaracterized as "innuendo" or "insinuation" and the reports were summarily dismissed. The questions asked of Parrino were vague and minimal and produced the denials that anyone would have expected them to produce. See T337-3 to 15. Although the duty called for an investigation, denial, not inquiry, was the standard procedure.

The pattern that emerges here is one of attempting to calculate the odds that the obligation to act could be avoided without consequences. Sansone did not face his responsibility squarely. This course of conduct is consistent with the advice Sansone solicited from Miller. As Miller stated in his letter opinion: "The point, of course, is that the safest position is one which attracts as little attention as possible from the Court officers."

Based on the foregoing, I find that the Investigations Officer has established just cause to show that Sansone breached his fiduciary duties to IBT members and brought reproach upon the IBT by failing to investigate and act on reports of Parrino's involvement with the St. Louis crime family.

#### **PENALTY**

A union's principal officer, acting in trust for the members, has a duty to investigate and act on allegations that an executive in his union is a member of organized crime. That Sansone breached

this duty is deserving of an appropriate penalty. In evaluating what penalty to impose, I am not unmindful that responsible public figures in the St. Louis area, as well as Local 682 members and retirees, think highly of Sansone. Sansone Exs. 6A, 6B, 6C, 7 and 8. Balanced against this, however, is the fact made obvious by Sansone's defense of these charges, that he still does not accept, even in principle, the idea that he was or is obligated to investigate and act against signs of mob influence in his union.

If Sansone's failure to act under the circumstances is accepted as the norm, nothing short of repeated intervention, whether it be by the government or the Court-appointed officers, would suffice to rid the IBT of its organized crime influences. To ensure that the IBT is purged and remains purged of its organized crime influences, I find that it is necessary to insist on strict compliance with the affirmative obligations placed on union officials to investigate and act when faced with allegations of corrupt individuals in their midst.

By his failure to act, Sansone has proven that he is not fit to serve in any officer or representative positions in the IBT or any of its affiliates. Accordingly, Sansone is to remove himself from all of his IBT affiliated officer positions, including, but not limited to his Presidency of Local 682, his Presidency of Joint Council 13, his Presidency of the Missouri-Kansas Conference of Teamsters and his post as an International Representative, and draw no money or compensation therefrom. As part of the penalty imposed

here is concerned, Sansone is also permanently barred from ever holding any such officership position in the future. [As an additional safeguard, Sansone may not obtain employment, consulting or other work with the IBT, or any IBT affiliated entity, without first making an appropriate application for approval to me, or after my tenure, to the Independent Review Board.] In this connection, however, I hereby direct that Sansone shall be forever precluded from employment, consulting or other work with Local 682, Joint Council 13, the Missouri-Kansas Conference of Teamsters and the International.

I will, in light of the many favorable character submissions made on Sansone's behalf, permit Sansone to retain his IBT membership so that he can, if he wishes, secure work as a rank-and-file member, with non-IBT affiliated entities that have collective bargaining agreements with the IBT.<sup>5</sup>

#### **SANCTIONS ON BENEFITS**

At my request, Sansone's attorney wrote to me on November 18, 1991, indicating that Sansone is a participant in the following plans, funds, and benefit programs:

##### Pension Benefits

Retirement and Family Protection Plan of the  
International Brotherhood of Teamsters

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<sup>5</sup> By virtue of this decision, however, Sansone shall not be permitted to hold any position such as job steward, shop steward or the like.

Teamster Affiliates Pension Plan for Officers  
and Employees of Teamster affiliates

Central States, Southeast and Southwest Areas  
Pension Plan

Health and Welfare Benefits

Health and Welfare Plan of the International  
Brotherhood of Teamsters

Central States, Southeast and Southwest Areas  
Health and Welfare Fund

Life Insurance

Travel Accident Policy of the International  
Brotherhood of Teamsters (\$100,000.00)

Life Insurance Company of North America  
Policy No. GL9279 (\$5,000.00)

MLBL Group Policy No. 190014 (\$1000,000.00)

General American Life Insurance Policy  
No. 1016016773 (\$25,000.00)

Vacation 9 1/2 days (as of 11/8/91)

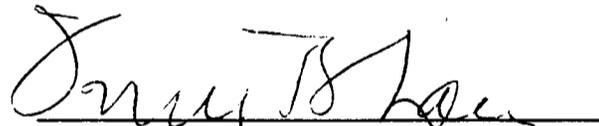
My authority to impose sanctions on a respondent's employee benefits is now well settled. See Investigations Officer v. Senese et al., Supplemental Decision of the Independent Administrator (November 29, 1990), aff'd, United States v. IBT, 753 F. Supp. 1181 (S.D.N.Y. 1990)

Consistent with my ruling in Senese, I will not alienate any of Sansone's vested benefits. See also, Guidry v. Sheet Metal Workers National Pension Fund, 1210 S. Ct. 680 (1990). However, any contributions made by any IBT-affiliated entity to sustain benefits on Sansone's behalf as a result of his serving as an officer of Local 682, an officer of Joint Council 13, an officer of

the Missouri-Kansas Conference of Teamsters, and as an International Representative, must cease, to be effective on the date of Sansone's removal from these positions. Included in this would be any automobile allowances. Sansone may, if he wishes, use his personal funds to continue any particular benefit. Finally, given my finding here, Sansone is not entitled to have any portion of his legal fees paid by the Local or any other IBT affiliated entity. See, e.g., United States v. Local 1804-1, 732 F. Supp. 434, 437 (S.D.N.Y. 1990).

**VOLUNTARY STAY**

I will stay the imposition of penalties pending Judge Edelstein's review of this Decision, which I will submit to him by way of Application.

  
Frederick B. Lacey  
Independent Administrator

Dated: March 30, 1992