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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA, :
 :
 Plaintiff, :

-v- :

ORDER

INTERNATIONAL BROTHERHOOD OF :
 TEAMSTERS, CHAUFFEURS, :
 WAREHOUSEMEN AND HELPERS OF :
 AMERICA, AFL-CIO, et al., :
 :
 Defendants. :

88 CIV. 4486 (DNE)

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IN RE: APPLICATION XXVIII OF THE
 INDEPENDENT ADMINISTRATOR
-----X

EDELSTEIN, District Judge:

WHEREAS in the instant Application, the Independent Administrator presented for this Court's review his opinion deciding the disciplinary charges against Andrew Reynolds, a former Organizer for Local 641 in Seacaucus, New Jersey; and

WHEREAS Reynolds was charged with two counts of conducting himself in a manner to bring reproach upon the IBT by (i) knowingly associating with members of La Cosa Nostra from at least January 1, 1980 to the present, and (ii) violating the AFL-CIO Code of Ethical Practices, to wit, refusing to answer questions at a deposition on August 17, 1982, in United States v. Local 560, Civ. No. 82-689 (H.A.A.) (D.N.I.), relating to kickbacks from employees, embezzlement of union funds, the business of Local 84 and the business of Local 560 and other matters; and

WHEREAS Reynolds failed to appear at a January 16, 1991 hearing held by the Independent Administrator on the Investigations Officer's charges in this matter; and

WHEREAS the Independent Administrator found that the Investigations Officer had sustained his burden and demonstrated just cause that the charges against Reynolds had been proved; and

WHEREAS the Independent Administrator imposed the penalty of permanent debarment from the IBT; and

WHEREAS the Independent Administrator further ordered that the IBT and any affiliate cease making payments (i) to any third party plans on Reynolds' behalf and (ii) of any benefits to Reynolds; and

WHEREAS Reynolds and the Investigations Officer have entered in to an agreement whereby Reynolds agrees that the Independent Administrator's decision dated April 11, 1991 in Investigations Officer v. Reynolds, filed by the Independent Administrator for review by the district court in Application XXVIII is final and binding in all respects; and

WHEREAS Reynolds further agreed that he will not contest and will abide by the Independent Administrator's decision;

IT IS HEREBY ORDERED that the decision of the Independent Administrator dated April 11, 1991 is affirmed in all respects.

SO ORDERED.

Dated: September 11, 1991
New York, New York



U.S.D.J.