

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____	:	88 Civ. 4486 (DNE)
UNITED STATES OF AMERICA	:	
	:	APPLICATION XV OF THE
Plaintiff,	:	INDEPENDENT REVIEW BOARD
	:	-- AGREEMENT BETWEEN THE
v.	:	INDEPENDENT REVIEW BOARD
	:	AND DOMINIC VULPIS
INTERNATIONAL BROTHERHOOD	:	
OF TEAMSTERS, et al.,	:	
	:	
Defendant.	:	
_____	:	

Pursuant to Paragraph O. of the Rules and Procedures for Operation of the Independent Review Board ("IRB") for the International Brotherhood of Teamsters ("IRB Rules"), the IRB files this Application submitting the Compromise Agreement with Domonic Vulpis ("Vulpis"), former officer of Local Union 813 in New York, New York. This Agreement was approved by the IRB and is submitted to Your Honor for review and, if appropriate, to be entered as an order. The Agreement seeks to resolve the matter of The Independent Review Board v. Dominic Vulpis. The Agreement, with a copy of the charges annexed thereto, is enclosed herewith.

This Application recognizes the importance of Your Honor's February 2, 1994, Order in which Your Honor stated that all IRB Compromise Agreements shall "contain a paragraph informing signatories that the agreement will be reviewed and may be rejected." The Agreement reached between the IRB and Dominic Vulpis satisfies this procedure for Your Honor's review.

Vulpis was charged with bringing reproach upon the IBT and violating his membership oath in violation of Article II, Section 2(a) and Article XIX, Section 7(b)(1) and (2), and Article XVIII, Section 6(a) & (b) of the IBT Constitution by falsely representing Anthony Michael Senter as an active employee who was a dues-paying member of Local 813 and on whose behalf fund contributions were made. Vulpis further failed to notify Local 813 to place Mr. Senter on "withdrawal" status.

Effective the date the IRB approved the Agreement, October 4, 1994, Vulpis has agreed to resign permanently from membership in the IBT.

Vulpis has further agreed not to:

- (1) hold, seek or accept election or appointment to any office, paid or unpaid, in any IBT Entity;
- (2) hold, seek or accept any employment, consulting or other similar relationships of any kind with any IBT Entity;
- (3) seek or accept membership in the IBT.

We have found the Agreement comports with Your Honor's February 2, 1994, Order and serves to resolve the charges in a fair and equitable manner.

Therefore, we respectfully request that Your Honor execute the Agreement on the line provided. This will, in effect, serve to have this Agreement "so ordered" by the Court. Thereafter, it is respectfully requested that a member of Your Honor's staff file the fully executed original Agreement with the Clerk.

By: Frederick B. Lacey
Frederick B. Lacey
Member of the
Independent Review Board

Dated: November 1, 1994

3. I represent and agree to the following:
 - a. I was a member of the International Brotherhood of Teamsters ("IBT") and Local 813, IBT.
 - b. I currently hold no other elected or appointed offices of any kind, paid or unpaid, in the IBT or in any of its affiliated entities, including Local 813, or with any pension, health and welfare or other benefit funds or other such entities affiliated with the IBT (collectively "IBT Entities").
 - c. I currently receive no salary, allowances or remuneration of any kind from any IBT Entity.
 - d. I have resigned, effective June 30, 1994, as a member of the IBT and Local 813.
 - e. I have not received any benefits, gratuities or gifts of any kind from Local 813, and no contributions have been made on my behalf by Local 813 or any other IBT Entity to any pension, health and welfare or other benefit plan.
 - f. I agree that, from the date of this Agreement, I will not hold, seek or accept election or appointment to any office, paid or unpaid, in any IBT Entity, nor will I hold, seek or accept any employment, consulting or other similar relationship of any kind with any IBT Entity. From the date of this Agreement forward, I will not seek or accept membership in the IBT.

g. This Agreement is permanent.

4. I have entered into this Agreement based on the understanding that the Independent Review Board agrees that it will not pursue the Charges attached as Exhibit A.

5. I understand that this Agreement will be submitted to the Independent Review Board ("IRB") for its review and, if approved by the IRB, it will be submitted to the United States District Court for the Southern District of New York for review. I understand that if this Agreement is approved by the United States District Court for the Southern District of New York, it will be entered as a Court Order.

6. I understand that no representations have been made as to whether this Agreement will be approved by the Independent Review Board or the United States District Court for the Southern District of New York.

A. I have read this Agreement carefully and I fully understand its terms.

1. I have authorized Susan Davis, counsel for to the
Trustee of Local 813, to transmit this Agreement, signed by me,
to the Independent Review Board. When it is signed by the
Independent Review Board, it will be submitted to the court for
approval.

Dominic Vulpis
DOMINIC VULPIS

Sworn to before me this
23 day of ~~July~~ ^{August}, 1994

Carolyn M. Schenk
NOTARY PUBLIC

CAROLYN M. SCHENK
NOTARY PUBLIC, State of New York
No. 01SC4816321
Qualified in Kings County
Commission Expires June 30, 1996

Witnessed:

Nicholas Scidif

Approved:

John J. Ruff
For the Independent Review Board

Dated

10/4/94

So Ordered:
Hon. David N. Edelstein

David N. Edelstein
U.S. District Judge

Dated

Nov 7, 1994