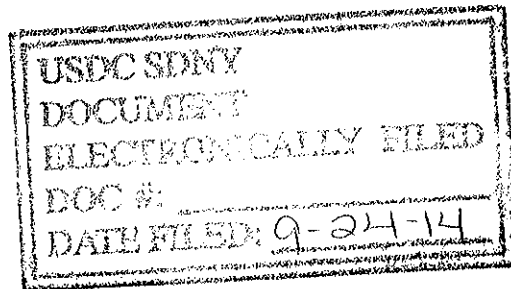


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

Plaintiff,

v.

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, et al.

Defendants.

88 CIV. 4486 (LAP)

ACKNOWLEDGMENT OF RECEIPT
OF APPLICATION 173 OF THE
INDEPENDENT REVIEW BOARD
REGARDING PATRICK FLYNN

This Court hereby acknowledges that Application 173 of the Independent Review Board ("IRB") for the International Brotherhood of Teamsters ("IBT") has been received by this Court, and that this Court has caused to be filed the original documents concerning Application 173 of the IRB with the Clerk of the Court of the Southern District of New York.

This Court further certifies that the instant Acknowledgment of Receipt ("the Acknowledgment") has been filed with the Clerk of the Court of the Southern District of New York, and that a copy of the Acknowledgment has been forwarded to the following:

John J. Cronin, Jr.
444 North Capitol Street, NW,
Suite 528
Washington, DC 20001
Administrator of the
Independent Review Board

Marvin Gittler, Esq.
Asher, Gittler, Greenfield & D'Alba
200 West Jackson Blvd., Suite 1900
Chicago, Illinois 60606

Patrick J. Calihan, Esq.
55 West Jackson Blvd, Suite 1534
Chicago, Illinois 60604

Dated: 9/23/, 2014
New York, New York

Suzanne A. Presk
U.S.D.J.

-----X
 In The Matter of :
 :
 PATRICK FLYNN :
 : AFFIDAVIT AND AGREEMENT
 :
 Before the :
 :
 INDEPENDENT REVIEW BOARD :
 :
 -----X

STATE OF ILLINOIS) ss.:
 COUNTY OF COOK) ss.:

Patrick Flynn, being duly sworn, deposes, says, and agrees as follows:

1. On or about June 19, 2014, the Independent Review Board (“IRB”), 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”), recommended that the following charges be filed against me:

Charge One. While the principal officer and a member of Local 710, you violated the IBT Constitution and breached your fiduciary duties to the Local and its members and brought reproach upon the IBT in violation of Article II, Section 2 (a) and Article XIX, Section 7 (b) (1), (2) and (3) of the IBT Constitution by allegedly embezzling approximately \$58,000 in Union property that was under your control.

Charge Two. While the principal officer and a member of Local 710, you brought reproach upon the IBT, exposed the Local to the risk of civil and criminal penalties and interfered with the Local's legal and record keeping obligations under federal law in violation of Article II, Section 2 (a) and Article XIX, section 7 (b) (2) and (5) of the IBT Constitution by failing to maintain records of the disposition of over \$58,000 in Local gift cards in your exclusive possession and control.

2. General President Hoffa subsequently adopted and filed these recommended charges.
3. I make this Affidavit and Agreement (the "Agreement") to resolve the IRB recommended charges described in paragraphs 1 and 2. This Agreement does not constitute an admission or denial of the wrongdoing alleged in these charges.
4. I represent and agree to the following:
 - (a) I have been a member of Local 710 since approximately 1973. I have been an employee of Local 710 since 1981. I have been a member of Local 710's Executive Board since 1993. I have been the Local's Secretary Treasurer and principal officer since 2004. I was an International Vice President from 1997 until January of 2010. I was an officer of Joint Council 25 from 2004

until 2009. In addition, I serve as a trustee for the Teamsters Union Local 710 Pension Fund, the Teamsters Union Local 710 Health and Welfare Fund, the Local 744 Beverage Division Pension Fund, the Local 710 Employees Trust Fund and the Local 710 DRIVE Fund.

(b) Other than the foregoing, I have held no other elected or appointed positions or offices of any kind with Local 710, the IBT or any of their affiliated entities, including any other locals, superior bodies, inferior bodies, conferences, councils, committees, divisions, pension, health, welfare or severance plans or other such entities (“IBT entities”).

5. I hereby agree that I will resign all of my elected and appointed positions with Local 710 and all other IBT affiliated positions, effective upon the date this Agreement is approved by the IRB (“the effective date”). I further agree that from the effective date of this Agreement and for a period of five years thereafter or until I pay the restitution set forth below, whichever occurs later, my membership in Local 710 and the IBT shall be suspended. I further agree not to seek, accept or hold any employment, office, position or consulting or similar relationship, whether paid or unpaid, with Local 710 or any

other IBT entity for a period of eight years from the effective date of this Agreement or until I pay the restitution set forth below, whichever occurs later.

6. From the effective date of this Agreement and for a period of eight years thereafter, neither Local 710 nor any other IBT entities shall pay me, nor shall I accept, any salary, gratuities, gifts, payments, allowances, fees, benefit payments or contributions or any other compensation of any kind, except that I may receive any compensation or benefits which have accrued to me prior to the effective date of this Agreement, including any vested or accrued pension, vacation or other benefits under any existing benefit plans or programs maintained or sponsored by Local 710. In addition, I may receive payment for any salary or expenses I incurred in connection with my work on behalf of Local 710 prior to the effective date of this Agreement in accordance with existing policies and procedures of Local 710.
7. For a period of eight years from the effective date of this Agreement, Local 710 and other IBT entities shall not make, nor shall I accept, any contributions on my behalf to any pension, health and welfare, severance or other health benefit fund, except as required by any

vested benefits to which I am entitled under any existing benefit plans or programs maintained or sponsored by Local 710 or any other IBT entities.

8. I further agree that within 30 days of the effective date of this Agreement I shall pay to Local 710 the sum of \$58,000. In this regard, I understand that I am currently owed by the Local the following amounts:

July Commission: \$26,607.01

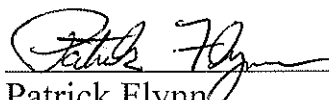
Vacation: \$6,612.00

It is my understanding and representation that these amounts are confirmed in records maintained by Local 710 and that, aside from vested pension benefits under the Local's Employee Trust Fund and the Local 710 Pension Plan, they are the only amounts that are due me from the Local. In lieu of being paid my July Commission and accrued vacation, I agree to waive them in order to facilitate the payment I have agreed to make, as described above, leaving a balance owed by me to Local 710 of \$24,780.99.

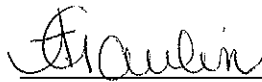
9. I understand and agree that this Agreement will be submitted to the Independent Review Board ("IRB") for its review and approval. If

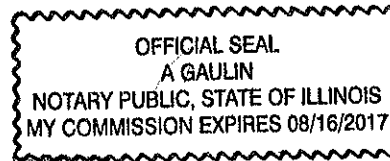
approved by the IRB, it will be submitted to the United States District Court for the Southern District of New York for review. I understand that if the Agreement is approved by the United States District Court for the Southern District of New York it will be entered as a Court order. I understand that no representations have been made as to whether this Agreement will be approved by the IRB or the United States District Court for the Southern District of New York. If this Agreement is not approved by the IRB or the Southern District of New York, this Agreement will be null and void.

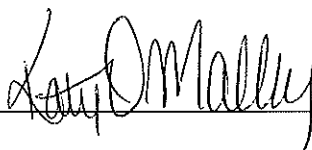
- 10. I make this Agreement freely and under no duress or coercion of any kind.
- 11. I will transmit this Agreement, signed by me, to the IBT. When it is signed by the IBT and the IRB, it will be submitted to the Court for review.


Patrick Flynn

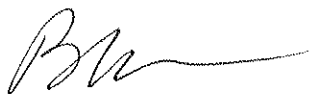
Sworn to before me this
15 day of August 2014


Notary Public
State: Illinois
County: COOK



Witnessed 

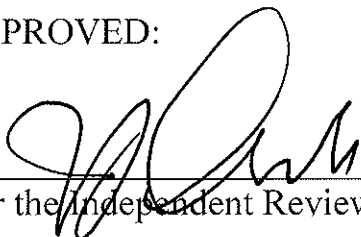
AGREED:



For International Brotherhood of Teamsters

Dated: 8/18/14

APPROVED:



For the Independent Review Board

Dated: 9/17/14

So Ordered:



U.S. District Court Judge
Hon. Loretta A. Preska

Dated: 9/23/14