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INVESTIGATIONS OFFICER, :  
: Claimant :  
-v- :  
GARY TIMM : AFFIDAVIT AND AGREEMENT  
: Respondent. :  
-----X

STATE OF NEW YORK )  
) SS.:  
COUNTY OF NEW YORK )

GARY TIMM, being duly sworn, deposes and says, and agrees as follows:

1. 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") has filed charges against me pursuant to the Consent Order (the "charges"). A copy of the charges is annexed as Exhibit A and incorporated herein by reference.

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

3. I represent and agree to the following:

(a) I am a member of the International Brotherhood of Teamsters ("IBT") and a member of IBT Local Union 563;

(b) I am a member of the Executive Board of Local 563, hold the office of President of Local 563 and serve as a Shop Steward.

(c) I currently hold no other elected or appointed offices of any kind, paid or unpaid, in the IBT or any of its affiliated entities including Local 563, or with any pension, health and welfare or other benefit plans or other such entities (collectively "IBT Entities");

(d) I currently receive no salary, allowances, or remuneration of any kind from any IBT Entities other than for the positions described in Paragraph 3(b);

(e) I shall be suspended, effective on the date this agreement is approved by the Independent Administrator (the "effective date"), as an officer and employee of Local 563 and the other positions described in Paragraph 3(b) (the "suspension"). The suspension shall be in effect for a period of two years from the effective date. I may continue to pay dues and maintain my membership in Local 563 during the suspension period.

(f) During the suspension period, I shall not attend or participate in any manner in any of the activities or affairs of Local 563, or any other IBT Entity, including but not limited to meetings, discussions, consultations, negotiations, votes, or any other business or activity of the union. I shall not enter or telephone or communicate with the offices of Local 563 or any other IBT Entity except I may enter the premises of Local 563 for the sole purpose of conducting business directly related to my continuing membership. I shall not discuss with any other member, officer, business agent, employee or representative of Local 563

or any other IBT Entity any union matter and shall refrain from any other involvement in the affairs of Local 563 or any other IBT Entity, provided however, I may

(i) communicate with a business agent or Shop Steward solely concerning matters directly affecting my employment by an employer having a collective bargaining agreement with Local 563; and (ii) provide factual information directly and solely to the attorneys for Local 563 as necessary for negotiations or grievances; and (iii) testify if required to do so in arbitrations or other proceedings.

(g) During the suspension period, I shall receive no salary, allowances, gratuities, accrual of pension benefits or any other remuneration or compensation of any kind from Local 563, or any other IBT Entity. I may continue to be covered by my health insurance from Local 563 provided said payments include no contribution by Local 563.

(h) I represent that I have not accepted and shall not take or accept after the expiration of the suspension period, any compensation or remuneration in money or other things of value to replace the compensation or benefits lost pursuant to Paragraph 3(g) above. For a period of three years after the expiration of the suspension period, any increase in my salary, benefits or other compensation as an officer or employee of Local 563 shall be submitted for prior approval to the Independent Administrator or Independent Review Board and shall not be implemented unless and until such approval has been given.

4. I have entered into this agreement on the understanding the Investigations Officer agrees he will not

pursue the charges.

5. I understand the Investigations Officer's agreement is limited to the charges annexed as Exhibit A and he expressly reserves the right to pursue charges against any other officer or entity of the IBT or Local 563 arising out of the allegations contained in the charges or any other investigations.

6. I agree this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, I agree he will submit it to the United States District Court for the Southern District of New York for review and approval and, if approved by the court, to be entered as an order.


7. I understand the Investigations Officer makes no representation as to the determination of the Independent Administrator or the court with respect to this agreement.

8. I make this agreement after consultation with my attorney and I fully understand its terms.

9. I have authorized my attorney to transmit this agreement, signed by me, to the Investigations Officer. When it is signed by the Investigations Officer, he will submit it to the Independent Administrator for approval.

  
GARY TIMM

Sworn to before me  
this 13th day of August, 1992

  
NOTARY PUBLIC

My commission expires on July 7, 1996.

Agreed:

Charles M. Carberry  
Charles M. Carberry  
Investigations Officer

8/18, 1992

Approved:

Frederick B. Lacey  
Frederick B. Lacey  
Independent Administrator

8/20, 1992

SO ORDERED:

David N. Edelstein  
David N. Edelstein  
United States District Judge

8/27, 1992

<hr/>		X
INVESTIGATIONS OFFICER,	:	
Claimant,	:	
	:	
- v -	:	<u>CHARGE</u>
GARY TIMM	:	
Local 563	:	
Appleton, Wisconsin	:	
Respondent.	:	
<hr/>		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

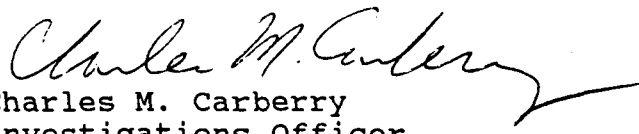
You brought reproach upon the IBT and embezzled funds in violation of Art. II, Section 2(a) and Art. XIX, Section 6(b)(3) of the IBT constitution by acting illegally to improperly take local funds for illegal campaign contributions.

To wit, in 1988 you, as a Board member of Local 563, were part of the scheme to funnel illegal campaign contributions

from the local's funds totaling \$2,100 to the Committee to Re-  
Elect Appleton Wisconsin Mayor Dorothy Johnson.

Dated: August 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.





any other involvement in the affairs of Local 563 or any other IBT Entity, provided however, I may

(i) communicate with a business agent solely concerning matters directly affecting my employment by an employer having a collective bargaining agreement with Local 563; and (ii) provide factual information directly and solely to the attorneys for Local 563 as necessary for negotiations or grievances; and (iii) testify if required to do so in arbitrations or other proceedings.

(g) During the suspension period, I shall receive no salary, allowances, gratuities, accrual of pension benefits or any other remuneration or compensation of any kind from Local 563, or any other IBT Entity. I may continue to be covered by my health insurance from Local 563 provided said payments include no contribution by Local 563.

(h) I represent that I have not accepted and shall not take or accept after the expiration of the suspension period, any compensation or remuneration in money or other things of value to replace the compensation or benefits lost pursuant to Paragraph 3(g) above. For a period of three years after the expiration of the suspension period, any increase in my salary, benefits or other compensation as an officer or employee of Local 563 shall be submitted for prior approval to the Independent Administrator or Independent Review Board and shall not be implemented unless and until such approval has been given.

4. I have entered into this agreement on the understanding the Investigations Officer agrees he will not pursue the charges.

5. I understand the Investigations Officer's agreement is limited to the charges annexed as Exhibit A and he expressly reserves the right to pursue charges against any other officer or entity of the IBT or Local 563 arising out of the allegations contained in the charges or any other investigations.

6. I agree this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, I agree he will submit it to the United States District Court for the Southern District of New York for review and approval and, if approved by the court, to be entered as an order.


7. I understand the Investigations Officer makes no representation as to the determination of the Independent Administrator or the court with respect to this agreement.

8. I make this agreement after consultation with my attorney and I fully understand its terms.

9. I have authorized my attorney to transmit this agreement, signed by me, to the Investigations Officer. When it is signed by the Investigations Officer, he will submit it to the Independent Administrator for approval.

  
RICHARD KNORR

Sworn to before me  
this 13th day of August, 1992

  
NOTARY PUBLIC

My commission expires on July 7, 1996

Agreed:

Charles M. Carberry  
Charles M. Carberry  
Investigations Officer

8/18, 1992

Approved:

Frederick B. Lacey  
Frederick B. Lacey  
Independent Administrator

8/20, 1992

SO ORDERED:

David N. Edelstein  
David N. Edelstein  
United States District Judge

8/27, 1992

	X
INVESTIGATIONS OFFICER,	:
Claimant,	:
- v -	:
RICHARD KNORR	:
Local 563	:
Appleton, Wisconsin	:
Respondent.	:
	X

CHARGE

SIR:

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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 brought reproach upon the IBT and embezzled funds in violation of Art. II, Section 2(a) and Art. XIX, Section 6(b)(3) of the IBT constitution by acting illegally to improperly take local funds for illegal campaign contributions.

To wit, in 1988 you, as a Board member of Local 563, were part of the scheme to funnel illegal campaign contributions

(b) I am a member of the Executive Board of Local 563 and hold the office of Vice President of Local 563.

(c) I currently hold no other elected or appointed offices of any kind, paid or unpaid, in the IBT or any of its affiliated entities including Local 563, or with any pension, health and welfare or other benefit plans or other such entities (collectively "IBT Entities");

(d) I currently receive no salary, allowances, or remuneration of any kind from any IBT Entities other than for the positions described in Paragraph 3(b);

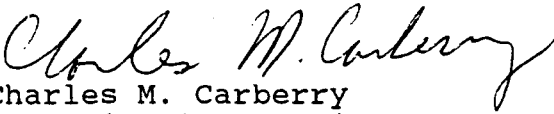
(e) I shall be suspended, effective on the date this agreement is approved by the Independent Administrator (the "effective date"), as an officer and employee of Local 563 and the other positions described in Paragraph 3(b) (the "suspension"). The suspension shall be in effect for a period of two years from the effective date. I may continue to pay dues and maintain my membership in Local 563 during the suspension period.

(f) During the suspension period, I shall not attend or participate in any manner in any of the activities or affairs of Local 563, or any other IBT Entity, including but not limited to meetings, discussions, consultations, negotiations, votes, or any other business or activity of the union. I shall not enter or telephone or communicate with the offices of Local 563 or any other IBT Entity except I may enter the premises of Local 563 for the sole purpose of conducting business directly related to my continuing membership. I shall not discuss with any other member, officer, business agent, employee or representative of Local 563 or any other IBT Entity any union matter and shall refrain from

from the local's funds totaling \$2,100 to the Committee to Re-  
Elect Appleton Wisconsin Mayor Dorothy Johnson.

Dated: August , 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  
INVESTIGATIONS OFFICER, :  
: Claimant :  
-v- :  
JAMES READY : AFFIDAVIT AND AGREEMENT  
: Respondent. :  
-----X

STATE OF NEW YORK )  
) SS.:  
COUNTY OF NEW YORK )

JAMES READY, being duly sworn, deposes and says, and agrees as follows:

1. 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") has filed charges against me pursuant to the Consent Order (the "charges"). A copy of the charges is annexed as Exhibit A and incorporated herein by reference.

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

3. I represent and agree to the following:  
(a) I am a member of the International Brotherhood of Teamsters ("IBT") and a member of IBT Local Union 563;

(b) I am a member of the Executive Board of Local 563 and hold the office of Recording Secretary of Local 563.

(c) I currently hold no other elected or appointed offices of any kind, paid or unpaid, in the IBT or any of its affiliated entities including Local 563, or with any pension, health and welfare or other benefit plans or other such entities (collectively "IBT Entities");

(d) I currently receive no salary, allowances, or remuneration of any kind from any IBT Entities other than for the positions described in Paragraph 3(b);

(e) I shall be suspended, effective on the date this agreement is approved by the Independent Administrator (the "effective date"), as an officer and employee of Local 563 and the other positions described in Paragraph 3(b) (the "suspension"). The suspension shall be in effect for a period of two years from the effective date. I may continue to pay dues and maintain my membership in Local 563 during the suspension period.

(f) During the suspension period, I shall not attend or participate in any manner in any of the activities or affairs of Local 563, or any other IBT Entity, including but not limited to meetings, discussions, consultations, negotiations, votes, or any other business or activity of the union. I shall not enter or telephone or communicate with the offices of Local 563 or any other IBT Entity except I may enter the premises of Local 563 for the sole purpose of conducting business directly related to my continuing membership. I shall not discuss with any other member, officer, business agent, employee or representative of Local 563 or any other IBT Entity any union matter and shall refrain from



any other involvement in the affairs of Local 563 or any other IBT Entity, provided however, I may

(i) communicate with a business agent solely concerning matters directly affecting my employment by an employer having a collective bargaining agreement with Local 563; and (ii) provide factual information directly and solely to the attorneys for Local 563 as necessary for negotiations or grievances; and (iii) testify if required to do so in arbitrations or other proceedings.

(g) During the suspension period, I shall receive no salary, allowances, gratuities, accrual of pension benefits or any other remuneration or compensation of any kind from Local 563, or any other IBT Entity. I may continue to be covered by my health insurance from Local 563 provided said payments include no contribution by Local 563.

(h) I represent that I have not accepted and shall not take or accept after the expiration of the suspension period, any compensation or remuneration in money or other things of value to replace the compensation or benefits lost pursuant to Paragraph 3(g) above. For a period of three years after the expiration of the suspension period, any increase in my salary, benefits or other compensation as an officer or employee of Local 563 shall be submitted for prior approval to the Independent Administrator or Independent Review Board and shall not be implemented unless and until such approval has been given.

4. I have entered into this agreement on the understanding the Investigations Officer agrees he will not pursue the charges.

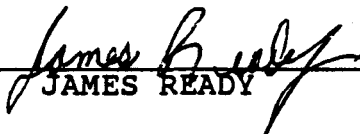
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6. I agree this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, I agree he will submit it to the United States District Court for the Southern District of New York for review and approval and, if approved by the court, to be entered as an order.

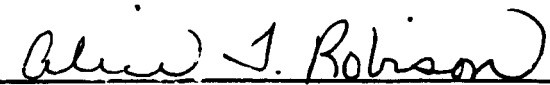
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8. I make this agreement after consultation with my attorney and I fully understand its terms.

9. I have authorized my attorney to transmit this agreement, signed by me, to the Investigations Officer. When it is signed by the Investigations Officer, he will submit it to the Independent Administrator for approval.

  
\_\_\_\_\_  
JAMES READY

Sworn to before me  
this 17th day of August, 1992

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires on April 28, 1996.

Agreed:

Charles M. Carberry  
Charles M. Carberry  
Investigations Officer

8/18, 1992

Approved:

Frederick B. Lacey  
Frederick B. Lacey  
Independent Administrator

8/20, 1992

SO ORDERED:

David N. Edelstein  
David N. Edelstein  
United States District Judge

8/27, 1992

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INVESTIGATIONS OFFICER,	:	
Claimant,	:	
	:	
- v -	:	<u>CHARGE</u>
JAMES READY	:	
Local 563	:	
Appleton, Wisconsin	:	
Respondent.	:	
<hr/>		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.

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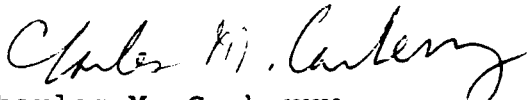
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To wit, in 1988 you, as a Board member of Local 563, were part of the scheme to funnel illegal campaign contributions

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Dated: August 17, 1992  
New York, New York

Very truly yours,

  
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Investigations Officer

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