

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	:	88 CIV. 4486 (DNE)
	:	
Plaintiff,	:	
	:	
v.	:	APPLICATION LXXXVIII BY THE
	:	INDEPENDENT ADMINISTRATOR
	:	UNDER THE CONSENT ORDER
INTERNATIONAL BROTHERHOOD	:	DATED MARCH 14, 1989 -
OF TEAMSTERS, CHAUFFEURS,	:	AGREEMENT BETWEEN THE
WAREHOUSEMEN AND HELPERS	:	INVESTIGATIONS OFFICER
OF AMERICA, AFL-CIO, et al.	:	AND ROBERT A. SASSO
	:	
Defendants.	:	

Application is made by the undersigned as Independent Administrator for a ruling by the Honorable David N. Edelstein, United States District Judge for the Southern District of New York, on the revised Agreement entered into between the Court-appointed Investigations Officer, Charles M. Carberry, and Robert A. Sasso, ("Sasso"). This Agreement serves to resolve the charge filed by the Investigations Officer against Sasso.

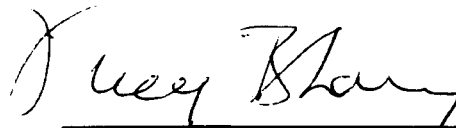
This Agreement has been modified to conform with my July 22, 1992, Decision in which I rejected an earlier version of the Agreement which contemplated that Sasso would be awarded \$114,367.86 in accrued vacation pay to which he was not entitled. My July 22, 1992, Decision was forwarded to Your Honor by way of Application LXXXV. The revised Agreement, submitted herewith, provides at para. 3(h) as follows:

I expressly agree to waive my claim or right to accrued vacation pay. I further agree and represent that

I will not assert or make any claim or bring any legal proceeding for the recovery of accrued vacation pay.

With this modification, I now find the Agreement acceptable, have approved it, and now transmit it to Your Honor to be "so ordered" if Your Honor finds it appropriate to do so. In addition, I also withdraw that portion of my Application LXXXV relating to the earlier Sasso Agreement.¹

I also respectfully request that, if Your Honor finds it appropriate to do so, a member of your staff file the "backed" fully executed original Agreement, Application and Affidavit of Service with the Clerk's office.



Frederick B. Lacey
Independent Administrator

Dated: August 20, 1992

¹ My request that Your Honor "so order" the Carbone Agreement still stands.

-----X
 INVESTIGATIONS OFFICER, :
 :
 Claimant, :
 :
 -v- :
 :
 ROBERT A. SASSO, :
 Local 282, :
 :
 Respondent. :
 :
 -----X

AFFIDAVIT AND AGREEMENT

STATE OF NEW YORK)
) ss.:
 COUNTY OF KINGS)

ROBERT A. SASSO, 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 Local Union 282;

(b) I was President of Local 282;

(c) I was an officer of Joint Council 16;

(d) I was a trustee of Local 282 Pension, Health and Welfare, Annuity, and Job Training Trust Funds;

(e) I was a trustee of Joint Council 16's Hospital Trust Fund;

(f) Having resigned the positions referred to in paragraphs (b)-(e) above effective April 21, 1992, 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 282, or with any pension, health and welfare or other benefit funds or other such entities affiliated with the IBT (collectively "IBT Entities");

(g) This agreement is effective on the day approved by the Independent Administrator;

(h) I will receive no benefits, gratuities or gifts of any kind from the Local. No further contributions may be made on my behalf by Local 282 or by any IBT entity to any pension, health and welfare, annuity, job training trust fund or other benefit plan. I may, however, claim pension or health and welfare and annuity benefits that are (i) prepaid and vested as of the effective date of my resignation, or (ii) that I may pay for from my own money. I expressly agree to waive my claim or right to accrued

vacation pay. I further agree and represent that I will not assert or make any claim or bring any legal proceeding for the recovery of accrued vacation pay;

(i) From the effective 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 effective date of my resignation forward, I will not seek or accept membership in the IBT; and

(j) This agreement is permanent.

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 282, 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 understand he will submit it to the United States District Court of the Southern District of New York for review and approval and, if approved by the court, to be entered as an order.

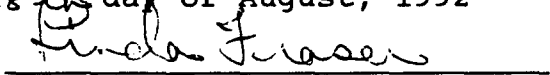
7. I understand the Investigations Officer makes no representation as to the determination of the Independent Administrator or the court with respect to this agreement.

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

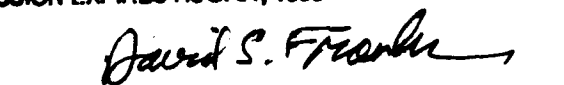
9. I have authorized my attorney to transmit this agreement, signed by me, to the Investigations Officer. When it is signed by the Investigations Officer, he will submit it to the Independent Administrator for approval.


Robert A. Sasso

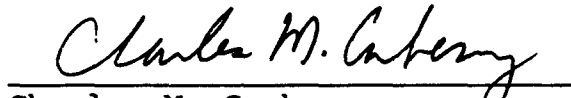
Sworn to before me this
18th day of August, 1992


Notary Public

LINDA FRASER
No. 41-4791334
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN QUEENS COUNTY
COMMISSION EXPIRES AUG. 31, 1993



Attorney for Robert A. Sasso

Agreed:


Charles M. Carberry
Investigations Officer

Dated: August 20, 1992

Approved:


Frederick B. Lacey
Independent Administrator

Dated: August 20, 1992

SO ORDERED:

Dated: New York, New York
August , 1992

U.S.D.J.

7155C