

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 XXVI OF THE
INDEPENDENT ADMINISTRATOR

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EDELSTEIN, District Judge:

WHEREAS in the instant Application, the Independent Administrator presented for this Court's review his opinion and supplemental opinion deciding the disciplinary charges against Robert J. Feeney, President and Trustee of IBT Local 11; and

WHEREAS Feeney was charged with bringing reproach upon the IBT by engaging in a scheme to extort monies from New Jersey lunch truck caterers through violence, threats, and claims of police corruption, and by using an automobile owned by Local 11 to further that scheme; and

WHEREAS the Investigations Officer's evidence consisted of New Jersey State Police tape recordings of Feeney, transcripts and sworn statements of persons that had been forced to make illegal payments to Feeney; and

WHEREAS at his hearing before the Independent Administrator, Feeney denied involvement in the scheme and denied the charges against him; and

WHEREAS on December 3, 1990, Feeney pled guilty to second degree extortion in Superior Court for the State of New Jersey for the same extortion scheme which he had denied under oath before the Independent Administrator; and

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

WHEREAS the Independent Administrator imposed the penalty of

lifetime debarment from the IBT upon Feeney and referred him to the United States Attorney's Office and the Investigations Officer on the issue of his perjury before the Independent Administrator; and

WHEREAS in his supplemental opinion, the Independent Administrator further ordered that the IBT cease making payments to (i) the Teamster Joint Council no. 73 Pension Fund; (ii) the Teamster Affiliated Pension Fund; (iii) the Teamster Local 11 Defined Contribution Plan; (iv) Feeney's Health and Welfare benefits; that Feeney receive no 1990 annual bonus; that Feeney's vacation pay be set off against legal fees paid on Feeney's behalf; that Feeney not be paid a \$6,000 "organizing bonus"; that the Local 11 executive board take steps to recover \$44,000 in legal fees paid on Feeney's behalf; and

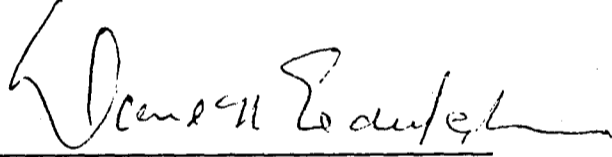
WHEREAS Feeney has not appealed the opinion and supplemental opinion of the Independent Administrator; and

WHEREAS the findings of the Independent Administrator are fully supported by the evidence and are not arbitrary or capricious; and

IT IS HEREBY ORDERED that the opinion and supplemental opinion of the Independent Administrator are affirmed in all respects.

So Ordered.

Dated: June 21, 1991
New York, New York



U.S.D.J.