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 INVESTIGATIONS OFFICER, :  
                   Claimant :  
       - v - :       AFFIDAVIT AND AGREEMENT  
 FRANK FAPPIANO :  
 Local 282 :  
                   Respondent :  
 -----X

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

FRANK FAPPIANO, 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 282;
- (b) I was an on-site steward in Local Union 282.

(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 282, or with any pension, health and welfare or other benefit funds or other such entities affiliated with the IBT (collectively "IBT Entities");

(d) I currently receive no salary, allowances, or remuneration of any kind from any IBT Entities.

(e) I shall resign effective on the day this agreement is approved by the Independent Administrator, as a member of Local 282 and as a member of the IBT.

(f) I will receive no benefits, gratuities or gifts of any kind from the Local. No further contributions may be made on my behalf from Local 282 or any IBT Entity to any pension, health and welfare or other benefit plan. I may, however, claim pension or health and welfare 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.

(g) From the effective date of my resignation forward, I will not hold, seek or accept election or appointment to any office, paid or unpaid, in any IBT Entities 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.

(h) 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 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.

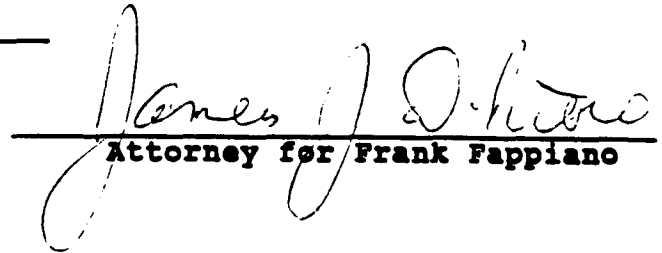
8. I make this agreement after consultation with my attorney and I fully understand its terms.

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.

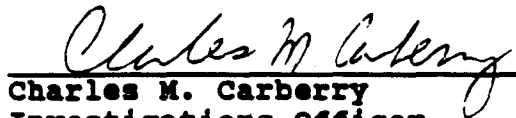
  
FRANK FAPPIANO

Sworn to before me  
this 14th day of October, 1991

  
NOTARY PUBLIC  
ANNAMARIE VOGLIO  
Notary Public, State of New York  
No. 24-01VO4796977  
Qualified in Kings County  
Commission Expires 10/31/93

  
Attorney for Frank Fappiano

Agreed:

  
Charles M. Carberry  
Investigations Officer

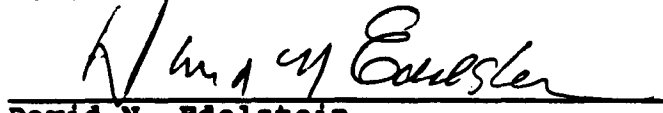
Dated: 10/15/91

Approved:

  
Frederick B. Lacey  
Independent Administrator

Dated: 10/16/91

SO ORDERED:

  
David N. Edelstein  
United States District Judge

Dated: 10/17/91

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INVESTIGATIONS OFFICER,	:	
Claimant,	:	
	:	
- v -	:	CHARGE
FRANK FAPPIANO	:	
Local 282	:	
Lake Success, New York,	:	
Respondent.	:	
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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., ss 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.

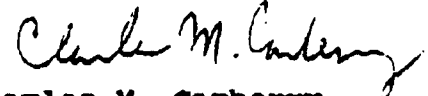
Charge

You are charged with violating Article II, section 2(a) and Article XIX, subsection 6(b) (1), (2), and (5) of the International Brotherhood of Teamsters (IBT) constitution, by conducting yourself in a manner to bring reproach upon the IBT and by violating your oath,

TO WIT: While a member of Local 282, you knowingly associated with members of La Cosa Nostra, including John Gotti, Salvatore Gravano, George De Cisco, Joseph Bilotti, Edward Garofalo, Eugene Gotti, Peter Gotti and Daniel Marino.

Dated: New York, New York  
August 23, 1991

Very truly yours,



Charles M. Carberry  
Investigations Officer

cc: Frederick B. Lacey, Esq.  
James T. Grady, Esq.  
Edward T. Ferguson, Esq.  
Joseph DiPietro, Esq.