

-----X

INVESTIGATIONS OFFICER, :

Claimant, : AFFIDAVIT AND AGREEMENT

-v- :

ROCCO MITOLO, :

Respondent. :

-----X

STATE OF OHIO)
) SS.:
COUNTY OF CUYAHOGA)

ROCCO MITOLO, 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 ~~of the charges.~~

by respondent of the truth of the allegations in the charges. -RM

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 377;

(b) I am a Business Agent employed by Local 377.

I am a Trustee of the Teamsters Local 377 Health & Welfare Fund

(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, or with any benefit plans or such other entities (collectively "IBT Entities");

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

(e) I shall be suspended effective November 15^{RM} 1991, as an officer and employee of Local 377, and any other IBT Entity (the "suspension"). The suspension shall be in effect for a period of two months, from November 15, 1991 through and including ~~December 15, 1991~~ ^{January 14, 1992^{RM}} (the "suspension period"). I may continue to pay dues and maintain my membership in Local 377 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 377, 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 call the offices of Local 377, or any other IBT Entity. I shall not seek or have access to books and records, accounts or any other records of any IBT Entity. I shall not discuss with any other member, officer or business agent of any IBT Entity any IBT matter or business provided, however, I may (i) provide factual information directly and solely to the attorneys for Local 377 as necessary for negotiations or grievances; and (ii) 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 other remuneration or compensation of any kind from Local 377, or any other IBT Entity. I may continue to be covered by my health insurance from Local 377, but shall pay the cost for such insurance coverage during the suspension period out of personal funds, with no contribution by Local 377.

(h) I shall not take or accept, after 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 one year after the end of the suspension period, any increase in my salary, benefits or other compensation as an

officer or employee of Local 377 shall be submitted for prior approval to the Independent Administrator and shall not be implemented unless and until such approval has been given.

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

5. I understand that the Investigations Officer's agreement is limited to the charges described above and that he expressly reserves the right to pursue charges against any other officer or entity of the IBT, arising out of the allegations contained in the charges or any other investigations.

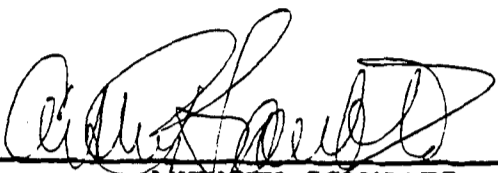
6. I agree that this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, I understand he will apply to the district court for that court to enter this agreement as an order.

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 freely, under no duress or coercion of any kind, after consultation with my attorney.



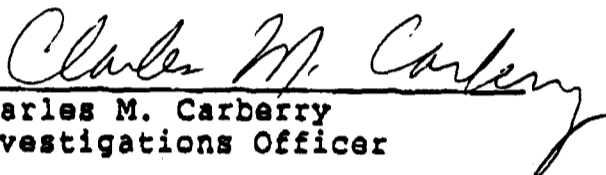
ROCCO MITOLO



ANTHONY SCAMBATI
Attorney for Rocco Mitolo

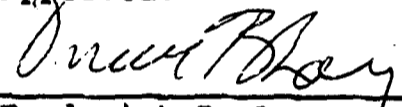
Sworn to before me
this ___ day of April 1991

Agreed:



Charles M. Carberry
Investigations Officer

Approved:



Frederick B. Lacey
Independent Administrator

Dated: June 17, 1991
New York, New York
SO ORDERED:



David N. Edelstein
United States District Judge

1503H

-----X
INVESTIGATIONS OFFICER :
 Claimant :
 - v - : CHARGE
ROCCO MITOLO :
Business Agent, Local 377 :
1223 Teamsters Drive :
Youngstown, Ohio 44502 :
 Respondent. :
-----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. A copy of that order is enclosed.

The time and place for the hearing of this matter will be determined by the Independent Administrator, Frederick B. Lacey, and he will notify you accordingly.

You are charged with:

Violating Article II, section 2(a) and Article XIX, section 6(b)(2), (5) & (6) of the International Brotherhood of Teamsters Constitution (IBT), by conducting yourself in a manner to bring reproach upon the IBT; TO WIT:

In that from on or about September 1968 to May 1970 you along with other connected with Local 377 did demand money and other things of value from operators of motor vehicles, and the employers of these operators, as a fee and charge in connection with the unloading of cargo of these vehicles in violation of Title 29 United States Code, Section 186(b)(2) for which you entered a plea of guilty to violating Title 18 United States Code Section 371 on October 13, 1972 in the United States District Court for the Northern District of Ohio, Eastern District.

Very truly yours,

Charles M. Carberry
Charles M. Carberry
Investigations Officer
30th Floor
599 Lexington Avenue
New York, New York 10022

Dated: March 12, 1991

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

0225H

-----X

INVESTIGATIONS OFFICER, :

Claimant, :

AFFIDAVIT AND AGREEMENT

-v- :

ROBERT ELISER, :

Respondent. :

-----X

STATE OF OHIO)

COUNTY OF CUYAHOGA)

SS.:

ROBERT ELISER, 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, ~~of the truth of the allegations in the charges.~~

by respondent of the truth of the allegations in the charges. R.E.

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 377;

(b) I am a member of the Executive Board of Local 377, and hold the office of President of Local 377. *I am also Recording Secretary and a member of the Joint Council 41 Executive Board*

(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, or with any benefit plans or such other entities (collectively "IBT Entities");

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

(e) I shall be suspended effective *January 15*, 1992, as an officer and employee of Local 377, and any other IBT Entity (the "suspension"). The suspension shall be in effect for a period of *two* months, from January 1, 1992 through and including *March 14*, 1992 (the "suspension period"). I may continue to pay dues and maintain my membership in Local 377 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 377, 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 call the offices of Local 377, or any other IBT Entity. I shall not seek or have access to books and records, accounts or any other records of any IBT Entity. I shall not discuss with any other member, officer or business agent of any IBT Entity any IBT matter or business provided, however, I may (i) provide factual information directly and solely to the attorneys for Local 377 as necessary for negotiations or grievances; and (ii) 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 other remuneration or compensation of any kind from Local 377, or any other IBT Entity. I may continue to be covered by my health insurance from Local 377, but shall pay the cost for such insurance coverage during the suspension period out of personal funds, with no contribution by Local 377.

(h) I shall not take or accept, after 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 one year after the end of the suspension period, any increase in my salary, benefits or other compensation as an

officer or employee of Local 377 shall be submitted for prior approval to the Independent Administrator and shall not be implemented unless and until such approval has been given.

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

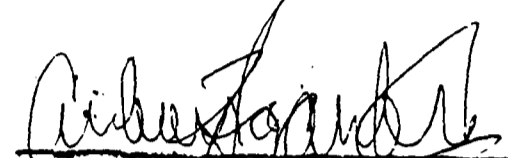
5. I understand that the Investigations Officer's agreement is limited to the charges described above and that he expressly reserves the right to pursue charges against any other officer or entity of the IST, arising out of the allegations contained in the charges or any other investigations.

6. I agree that this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, I understand he will apply to the district court for that court to enter this agreement 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.

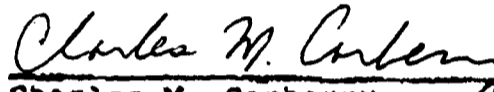
8. I make this agreement freely, under no duress or coercion of any kind, after consultation with my attorney.


ROBERT ELISER

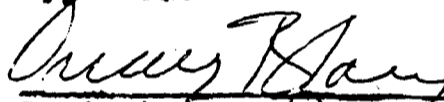

ANTHONY SCAMBATI
Attorney for Robert Eliser

Sworn to before me
this ___ day of April 1991

Agreed:



Charles M. Carberry
Investigations Officer

Approved:


Frederick B. Lacey
Independent Administrator

Dated: June 17, 1991
New York, New York

SO ORDERED:


David N. Edelstein
United States District Judge

-----X
INVESTIGATIONS OFFICER, :
 Claimant, :
 - v - :
ROBERT ELISER :
President, Local 377 :
1223 Teamsters Drive :
Youngstown, Ohio 44502 :
 Respondent. :
-----X

CHARGE

SIR:

You are hereby advised the 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. A copy of that order is enclosed.

The time and place for the hearing of this matter will be determined by the Independent Administrator, Frederick B. Lacey, and he will notify you accordingly.

You are charged with:

Violating Article II, section 2(a) and Article XIX, section 6(b)(2), (5) & (6) of the International Brotherhood of Teamsters Constitution (IBT), by conducting yourself in a manner to bring reproach upon the IBT; TO WIT:

On or about October 28, 1969 in Youngstown, Ohio you participated in a gun battle between members of the Fraternal Association of Steel Haulers and members of Teamsters Local 377 which resulted in the death of one Teamster and the wounding of others. In connection with this episode you entered a plea of no contest to Riot, Second Degree on January 4, 1971 in the Court of Common Pleas, Mahoning County, State of Ohio.

Very truly yours,

Charles M. Carberry
Charles M. Carberry
Investigations Officer
30th Floor
599 Lexington Avenue
New York, New York 10022

Dated: March 12, 1991

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

0216H

-----X

INVESTIGATIONS OFFICER, :

Claimant, : AFFIDAVIT AND AGREEMENT

-v- :

ANTHONY SAMMARONE, :

Respondent. :

-----X

STATE OF OHIO)
) SS.:
COUNTY OF CUYAHOGA)

ANTHONY SAMMARONE, 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, ~~_____~~

*by respondent of the truth of - R. S.
the allegations in the charges. dit*

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 377;

(b) I am a member of the Executive Board of Local 377, and hold the office of Secretary-Treasurer of Local 377.

(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, or with any benefit plans or such other entities (collectively "IBT Entities");

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

(e) I shall be suspended effective ~~September 1~~ ^{September 15}, 1991, as an officer and employee of Local 377, and any other IBT Entity (the "suspension"). The suspension shall be in effect for a period of two months, from September ¹⁵, 1991 through and including ~~September 14~~ ^{November 14}, 1991 (the "suspension period"). I may continue to pay dues and maintain my membership in Local 377 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 377, 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 call the offices of Local 377, or any other IBT Entity. I shall not seek or have access to books and records, accounts or any other records of any IBT Entity. I shall not discuss with any other member, officer or business agent of any IBT Entity any IBT matter or business provided, however, I may (i) provide factual information directly and solely to the attorneys for Local 377 as necessary for negotiations or grievances; and (ii) 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 other remuneration or compensation of any kind from Local 377, or any other IBT Entity. I may continue to be covered by my health insurance from Local 377, but shall pay the cost for such insurance coverage during the suspension period out of personal funds, with no contribution by Local 377.

(h) I shall not take or accept, after 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 one year after the end of the suspension period, any increase in my salary, benefits or other compensation as an

officer or employee of Local 377 shall be submitted for prior approval to the Independent Administrator and shall not be implemented unless and until such approval has been given.

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

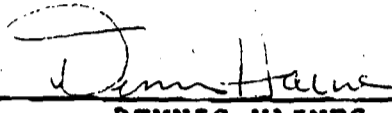
5. I understand that the Investigations Officer's agreement is limited to the charges described above and that he expressly reserves the right to pursue charges against any other officer or entity of the IBT, arising out of the allegations contained in the charges or any other investigations.

6. I agree that this agreement will be submitted to the Independent Administrator for his review and approval. If approved by the Independent Administrator, I understand he will apply to the district court for that court to enter this agreement 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.

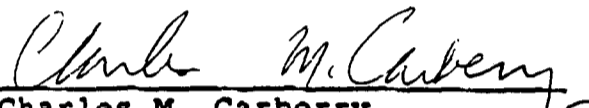
8. I make this agreement freely, under no duress or coercion of any kind, after consultation with my attorney.


ANTHONY SAMMARONE

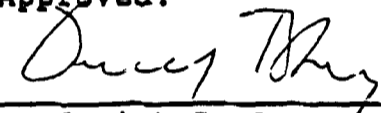

DENNIS HAINES
Attorney for Anthony Sammarone

Sworn to before me
this 30th day of April 1991

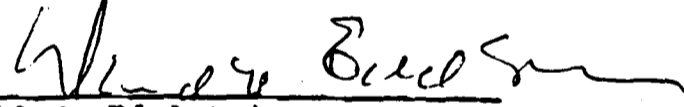
Agreed:


Charles M. Carberry
Investigations Officer

Approved:


Frederick B. Lacey
Independent Administrator
Dated: June 17, 1991
New York, New York

SO ORDERED:


David N. Edelstein
United States District Judge

1498H

-----X
INVESTIGATIONS OFFICER, :
 Claimant, :
 - v - :
 CHARGE
ANTHONY SAMMARONE :
Secretary/Treasurer :
Local 377 :
1223 Teamsters Drive :
Youngstown, Ohio 44502 :
 Respondent. :
-----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. A copy of that order is enclosed.

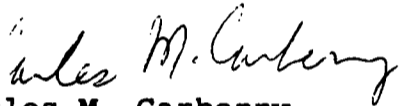
The time and place for the hearing of this matter will be determined by the Independent Administrator, Frederick B. Lacey, and he will notify you accordingly.

You are charged with:

Violating Article II, section 2(a) and Article XIX, section 6(b)(2), (5) & (6) of the International Brotherhood of Teamsters Constitution (IBT), by conducting yourself in a manner to bring reproach upon the IBT; TO WIT:

In that from on or about September 1968 to May 1970 you along with others connected with Local 377 did demand money and other things of value from operators of motor vehicles, and the employers of these operators, as a fee and charge in connection with the unloading of the cargo of these vehicles in violation of Title 29 United States 186(b)(2) for which you entered a plea of guilty to violating Title 18 United States Code Section 371 on October 13, 1972 in the United States District Court for the Northern District of Ohio, Eastern District.

Very truly yours,


Charles M. Carberry
Investigations Officer
30th Floor
599 Lexington Avenue
New York, New York 10022

Dated: March 12, 1991

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

0220H