

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 LXXVI OF THE
INDEPENDENT ADMINISTRATOR

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EDELSTEIN, District Judge:

WHEREAS the instant Application presents for this Court's review the Independent Administrator's decision regarding disciplinary charges brought by the Investigations Officer against Joseph E. Kosey ("Respondent"), the Secretary Treasurer of IBT Local Union 707 in Chicago, Illinois; and

WHEREAS in the Independent Administrator's decision, he found that the Investigations Officer proved that: (1) Respondent violated his fiduciary duties and Article II, Sections 6(b)(1) and (2) of the IBT Constitution, by willfully disregarding his fiduciary duty to investigate and act with respect to evidence that Joseph P. Glimco, until recently the President of Local 777, was a member of La Cosa Nostra, and (2) Respondent violated Section 16(c) of Local 777's bylaws, and thereby Article II, Section 6(b)(1) of the IBT Constitution, by improperly receiving a car owned by the union; and

WHEREAS the Respondent does not oppose the Independent Administrator's decision (See Respondent's May 6, 1992 letter); and

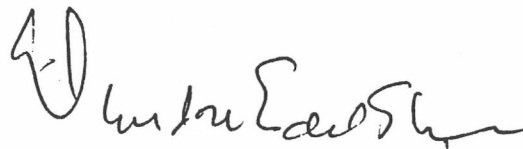
WHEREAS the Independent Administrator's decision is fully supported by the evidence and is neither arbitrary nor capricious;

IT IS HEREBY ORDERED that the stay of penalties imposed by the Independent Administrator is dissolved; and

IT IS FURTHER ORDERED that the decision of the Independent Administrator is affirmed in all respects.

SO ORDERED.

Dated: *May 15, 1992*
New York, New York



U.S.D.J.