

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 CIV OF THE
INDEPENDENT ADMINISTRATOR

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EDELSTEIN, District Judge:

WHEREAS Application CIV presents for this Court's review the Independent Administrator's decision regarding disciplinary charges brought by the Investigations Officer against Eugene Bennett and Victor Alfieri; and

WHEREAS the parties appeared at the hearing before the Independent Administrator -- Mr. Bennett was represented by counsel, Brian D. Linder, and Mr. Alfieri appeared pro se; and

WHEREAS the Investigations Officer charged Mr. Bennett and Mr. Alfieri with failing to investigate that fellow officers were associated with organized crime and with knowingly associating with members of La Cosa Nostra; and

WHEREAS the Independent Administrator found that the Investigations Officer had satisfied his just cause burden of proving the charges filed against Mr. Bennett and Mr. Alfieri by a preponderance of the evidence; and

WHEREAS the Independent Administrator permanently barred Mr. Bennett and Mr. Alfieri from the IBT, imposed sanctions upon their employee benefits pursuant to this Court's December 28, 1990 Memorandum & Order, 753 F. Supp. 1181 (S.D.N.Y. 1990), aff'd, 941 F.2d 1292 (2d Cir.), cert. denied, 112 S. Ct. 1161 (1992), and also prohibited them from receiving contributions toward their legal expenses from any IBT-affiliated entity; and

WHEREAS Mr. Alfieri was provided notice of the Independent Administrator's decision and was informed of his right to submit

