

INDEPENDENT REVIEW BOARD
444 North Capitol Street, NW, Suite 528
Washington, DC 20001
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Chief Investigator:

Charles M. Carberry, Esq.
Investigations Office
17 Battery Place, Suite 331
New York, NY 10004

Administrator:
John J. Cronin, Jr.

October 1, 2014

VIA UPS GROUND

Hon. Loretta A. Preska
United States District Court
United States Courthouse
500 Pearl Street, Room 1320
New York, NY 10007

Re: APPLICATION 174 OF THE INDEPENDENT REVIEW BOARD

Dear Judge Preska:

I transmit herewith one original and one copy of Application 174 of the Independent Review Board, submitting the Agreement regarding Anthony Lamy of Local 710, approved by the IRB, to Your Honor for review, and if appropriate, to be "so ordered."

In addition to the Application, enclosed please find the original and one copy of:


- (a) the September 30, 2014, Agreement approved by the IRB;
- (b) an Acknowledgment of Receipt; and
- (c) an Affidavit of Service.

If you find it appropriate, I respectfully request that a member of Your Honor's staff file the original Application, Agreement, Acknowledgment of Receipt and Affidavit of Service with the Clerk's office.

Respectfully submitted,

Members of the
Independent Review Board

By:



John J. Cronin, Jr.
Administrator

Pursuant to the Consent Order of the United States District Court, S.D.N.Y.
United States -v- International Brotherhood of Teamsters 88 CIV. 4486 (LAP)

Board Members:
Benjamin R. Civiletti, Esq.
Venable LLP
575 7th Street, NW
Washington, DC 20004

Joseph E. diGenova, Esq.
diGenova & Toensing, LLP
1776 K Street, NW, Suite 737
Washington, DC 20006

The Honorable William H. Webster
1850 K Street, NW, Suite 1100
Washington, DC 20006

JJC:cft

Enclosures

cc: Tara M. La Morte, AUSA
Charles M. Carberry, Esq.
Bradley T. Raymond, Esq.
Anthony Lamy

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	
	:	88 CIV. 4486 (LAP)
Plaintiff,	:	
	:	APPLICATION 174 OF THE
v.	:	INDEPENDENT REVIEW BOARD
	:	-- AGREEMENT BETWEEN THE
INTERNATIONAL BROTHERHOOD OF	:	INDEPENDENT REVIEW BOARD
TEAMSTERS, <u>et al.</u>	:	AND ANTHONY LAMY
	:	
Defendants.	:	

Pursuant to Paragraph O. of the Rules and Procedures for Operation of the Independent Review Board for the International Brotherhood of Teamsters ("IRB Rules"), the Independent Review Board ("IRB") files this Application submitting the Agreement with Anthony Lamy ("Lamy"), a member of Local 710 in Mokena, Illinois. The Agreement has been approved by the IRB and is submitted to Your Honor for review and, if appropriate, to be entered as an order.

On August 15, 2014, the IRB issued an Investigative Report to IBT General President Hoffa recommending a charge against Anthony Lamy an Organizer and Business Agent for Local 710, for breaching his fiduciary duties to protect Local assets by failing to investigate unusual financial transactions.

On August 21, 2014, IBT General General President James P. Hoffa submitted to the IRB a signed agreement, which the IBT approved seeking to resolve the matter. The agreement, approved by the IRB, is enclosed.

This Application complies with former United States District

Court Judge David N. Edelstein's February 2, 1994, Order stating that all IRB Agreements shall "contain a paragraph informing signatories that the agreement will be reviewed and may be rejected." The Agreement reached between the IRB and Anthony Lamy satisfies this procedure. One original and one copy of an Acknowledgment of Receipt are enclosed with this Application for execution by Your Honor.

Effective September 30, 2014 forward, Lamy has agreed:

- 1) That from and after July 30, 2014, he will not seek or accept an Office or position with Local 710 or any other IBT Affiliate and agrees that this restriction will be permanent. This restriction shall not, however, prevent him from serving as a Business Agent.
- 2) From and after July 30, 2014 Local 710 and all other IBT entities shall not pay him nor will he accept any salary, gratuities, gifts, payments, allowances, fees, benefit payments, contributions or other compensations of any kind which are related to his Office in Local 710; except that he may receive any compensation or benefits which he earned or will earn as a Business Agent and any compensation or benefits related to his Office in Local 710 that vested or accrued to him prior to December 2012, including any vested or accrued pension, vacation or other benefits under any existing benefit plans or programs maintained or sponsored by Local 710. In addition, he may receive payment for any expenses incurred in connection with his work for Local 710 in accordance with existing policies and procedures of the Local.

We have found the Agreement serves to resolve the matter in a fair and equitable manner.

Therefore, we respectfully request that Your Honor execute the Agreement on the line provided. This will, in effect, serve to have the Agreement "so ordered" by the Court. Thereafter, it is respectfully requested that a member of Your Honor's staff

file the fully executed original Agreement with the Clerk and transmit to me a confirmed copy of the Agreement as "so ordered."

Dated: September 30, 2014

10000 7/1/14

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

JAMES P. HOFFA
General President

25 Louisiana Avenue, NW
Washington, DC 20001



KEN HALL
General Secretary-Treasurer

202.624.6800
www.teamster.org

September 16, 2014

Mr. John J. Cronin, Jr., Administrator
Independent Review Board
444 North Capitol Street, N.W., Suite 528
Washington, D.C. 20001

Re: Anthony Lamy

Dear Mr. Cronin:

Enclosed please find an Affidavit and Agreement signed by Mr. Lamy and by me, on behalf of the IBT, which we believe resolves the IRB recommended charges that General President Hoffa filed against Mr. Lamy in accordance with IRB's report dated August 15, 2014. The Agreement provides that Mr. Lamy will not seek or accept an officer position with Local 710 or any other IBT affiliate, and that this restriction is permanent. It also provides that Mr. Lamy may continue to be employed by Local 710 as a business agent.

Mr. Lamy was a Trustee of Local 710 from 2005 until December 2012. He and other members of the Local's Executive Board were charged with having breached their fiduciary duty by failing to investigate unusual transactions involving gift cards purchased by the Local's former principal officer. He was not involved in approving in January of 2013 what IRB has characterized as "blanket authority" permitting the former principal officer to dispose of "surplus items," since that action that was taken after Lamy had left the Local's Executive Board.

Mr. Lamy's alleged fiduciary breach involved solely his failure, while an officer of Local 710, to investigate and address the financial misconduct of the Local's former principal officer, specifically the purchase and disposition of gift cards. There is no claim that he participated in or profited from the transactions. By agreeing that he will never again seek or hold office in Local 710 or any other IBT affiliate, we believe the offense with which he was charged will be fully remedied while, at the same time, he can continue to serve as a business

Mr. John J. Cronin, Jr.
September 16, 2014
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agent, handling grievances and otherwise representing members in connection with their employment under contracts administered by Local 710.

We urge the Board to approve this Agreement.

Please do not hesitate to contact me if the Board has any questions.

Very truly yours,



Bradley T. Raymond
General Counsel

BTR/lac

cc: Charles M. Carberry, Esq.

-----X
 In The Matter of :
 ANTHONY LAMY :
 : AFFIDAVIT AND AGREEMENT
 Before the :
 INDEPENDENT REVIEW BOARD :
 -----X

STATE OF ILLINOIS) ss.:
 COUNTY OF WILL) ss.:

Anthony Lamy, being duly sworn, deposes, says, and agrees as follows:

1. On or about August 15, 2014, the Independent Review Board (“IRB”), 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”), recommended that the following charges be filed against me:

That while an officer and a member of Local 710 you brought reproach upon the IBT and breached your fiduciary duty to protect the members’ assets in violation of Article II, Section 2 (a) and Article XIX, Section 7 (b) (1) and (2) of the IBT Constitution by failing to

inquire when necessary into the principal officer's purchase and disposition of gift cards and, in particular, by voting in November of 2011 to approve the principal officer's purchase of 1,000 \$25 gift cards which, given the circumstances described in IRB's report, was an unusual transaction.

2. I make this Affidavit and Agreement (the "Agreement") to resolve the IRB charges described in paragraph 1. This Agreement does not constitute an admission or denial of the wrongdoing alleged in the IRB charges.
3. I represent and agree to the following:
 - (a) I have been a member of the IBT since 1979. From 2005 until December 2012, I served as a Trustee for Local 710. Also, from 2008 until on or about July 30, 2014, I served as a full time organizer for Local 710. The current Trustee for Local 710 subsequently appointed me to serve as a business agent for Local 710. I continue to serve as a business agent.
 - (b) Other than the foregoing, I have held no other elected or appointed positions or offices of any kind with Local 710, the IBT or any of their affiliated entities, including any other locals, superior bodies, inferior bodies, conferences, councils,

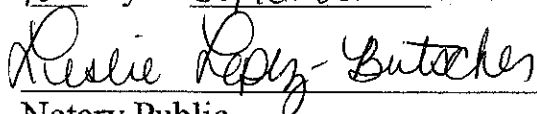
committees, divisions, pension, health, welfare or severance plans or other such entities ("IBT entities").

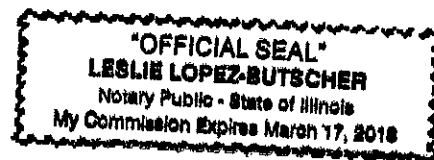
4. I hereby agree that from and after July 30, 2014, I will not seek or accept an officer position with Local 710 or any other IBT affiliate. I agree that this restriction will be permanent. This restriction shall not, however, prevent me from serving as a business agent.
5. From and after July 30, 2014, Local 710 and all other IBT entities shall not pay me, nor shall I accept, any salary, gratuities, gifts, payments, allowances, fees, benefit payments or contributions or any other compensation of any kind, which are related to my office in Local 710, except that I may receive any compensation or benefits which I have earned or shall earn as a business agent and any compensation or benefits related to my office in Local 710 that vested or accrued to me prior to December of 2012, including any vested or accrued pension, vacation or other benefits under any existing benefit plans or programs maintained or sponsored by Local 710. In addition, I may receive payment for any expenses incurred in connection with my work for Local 710 in accordance with existing policies and procedures of the Local.

6. I understand and agree that this Agreement will be submitted to the Independent Review Board ("IRB") for its review and approval. If approved by the IRB, it will be submitted to the United States District Court for the Southern District of New York for review. I understand that if the Agreement is approved by the United States District Court for the Southern District of New York it will be entered as a Court order. I understand that no representations have been made as to whether this Agreement will be approved by the IRB or the United States District Court for the Southern District of New York. If this Agreement is not approved by the IRB or the Southern District of New York, this Agreement will be null and void.
7. I make this Agreement freely, under no duress or coercion of any kind.
8. I will transmit this Agreement, signed by me, to the IBT. When it is signed by the IBT and the IRB, it will be submitted to the Court for review.


Anthony Lamy

Sworn to before me this
10th day of September 2014


Notary Public



Witnessed _____

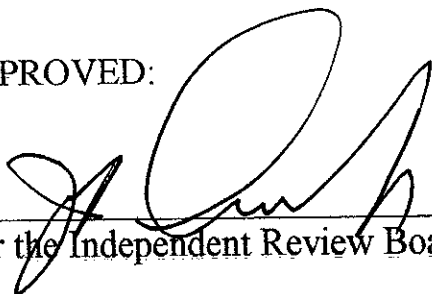
AGREED:



For the International Brotherhood of Teamsters

Dated: 9/16/14

APPROVED:



For the Independent Review Board

Dated: _____

So Ordered:

U.S. District Court Judge
Hon. Loretta A. Preska

Dated: _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	
	:	88 CIV. 4486 (LAP)
Plaintiff,	:	
	:	ACKNOWLEDGMENT OF RECEIPT
v.	:	OF APPLICATION 174 OF THE
	:	INDEPENDENT REVIEW BOARD
INTERNATIONAL BROTHERHOOD OF	:	
TEAMSTERS, <u>et al.</u>	:	
	:	
	:	
Defendants.	:	

This Court hereby acknowledges that Application 174 of the Independent Review Board ("IRB") for the International Brotherhood of Teamsters ("IBT") has been received by this Court, and that this Court has caused to be filed the original documents concerning Anthony Lamy Application 174 of the IRB with the Clerk of the Court of the Southern District of New York.

This Court further certifies that the instant Acknowledgment of Receipt ("the Acknowledgment") has been filed with the Clerk of the Court of the Southern District of New York, and that a copy of the Acknowledgment has been forwarded to the following:

John J. Cronin, Jr.
444 North Capitol Street, NW,
Suite 528
Washington, DC 20001
Administrator of the
Independent Review Board

Bradley T. Raymond, Esq.
25 Louisiana Avenue, NW
Washington, DC 20001
IBT General Counsel

Dated: _____, 2014
New York, New York

U.S.D.J.