

OFFICE OF THE ELECTION SUPERVISOR  
*for the* INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
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[www.ibtvote.org](http://www.ibtvote.org)

Richard W. Mark  
*Election Supervisor*

November 4, 2016

*By email to* Add protestor's email here

Cathy Highet  
For Tim Sylvester  
1022 SW Salmon Street, Suite 430  
Portland, OR 97205

RE: Protest No. P-412-110416-NA (Sylvester)

Dear Ms. Highet:

We have received the election protest you filed under the Rules for the 2015-2016 IBT International Union Delegate and Officer Election ("*Rules*"). A copy of your protest is enclosed.

We have assigned your protest the number indicated above. Please use this number on all communications with us concerning this protest.

We have assigned your protest to Election Supervisor representative Jeffrey Ellison for investigation. Our investigator's contact information is set forth at the end of this letter.

As required by the *Rules*, we are providing a copy of the protest to each person or entity that appears to be a subject of the protest. These persons and entities are listed at the end of this letter.

The *Rules* require that protests be investigated and decided promptly. Therefore, we request that all parties (including you, the persons or entities that are the subject of the protest, and all other interested parties) immediately provide our investigator with all information relevant to the allegation(s) contained in the protest, including the names and contact information of all witnesses and persons with information concerning the allegations in the protest, and all relevant documents.

All parties are required to cooperate fully with the Office of the Election Supervisor in the investigation of this matter. Absent extraordinary circumstances, no party may rely on evidence not provided by the party to the Office of the Election Supervisor in any appeal of the Election Supervisor's determination of the protest.

Very truly yours,

Richard W. Mark  
Election Supervisor

***Election Supervisor Representative***

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EllisonEsq@aol.com

cc:

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November 4, 2016

VIA EMAIL (electionsupervisor@ibtvote.org)

Richard Mark, Esq.  
Election Supervisor  
Office of the Election Supervisor *for the*  
International Brotherhood of Teamsters  
1801 K Street, N.W. Suite 421 L  
Washington, D.C. 20006

Re: Protest by IBT Election Candidate Tim Sylvester against Ken Hall; the Hoffa-Hall Slate; Viet Dinh; and the International Brotherhood of Teamsters

Dear Mr. Mark:

Please accept this letter as a formal protest on behalf of Tim Sylvester, a candidate for General Secretary-Treasurer, against Ken Hall, the Hoffa-Hall Slate, Viet Dinh, and the International Brotherhood of Teamsters (“IBT”).

Mr. Sylvester requests that his protest be heard as a post-election protest, as provided in Article XIII, Section 2(f)(2). Given the deadline for receipt of ballots (November 14) and historical data, the great majority of ballots to be cast have already been mailed.

Mr. Sylvester reserves his right to withdraw or modify this protest based on the results of the election.

The actions upon which Mr. Sylvester bases his protest are those described in the Proposed Charge Recommendation against Ken Hall issued by Independent Investigations Officer Joseph E. diGenova. On behalf of the IBT, and with the assistance of Mr. Dinh, Mr. Hall withheld documents from the IIO for over six months and continues to withhold over 30,000 emails. The purpose and foreseeable effect of these actions is to deprive IBT members of information that would cause members to vote against the Hoffa-Hall slate. Mr. Hall is using Union resources to withhold the emails,

including but not limited to Mr. Hall's time and office and the services of Mr. Dinh. These actions furthermore violate the Final Order, the IBT Constitution, and the LMRDA.

Mr. Sylvester is a member of Local 804 and asks to be contacted through counsel. Contact information Mr. Dinh is:

Viet D. Dinh  
Kirkland & Ellis LLP  
655 Fifteenth Street, N.W.  
Washington, D.C. 20005-5793  
(202) 879-5000

The Election Supervisor already has contact information for the remaining subjects of the protests, but Mr. Sylvester will supply any further contact information desired on request.

Mr. Sylvester will provide a more detailed position statement in support of his protest shortly. He also wishes to provide a supplemental position statement after the election indicating whether he wishes to proceed with this protest and, if so, analyzing any legal and factual issues that cannot be analyzed without knowledge of the results of the election. Please do not hesitate to let me know how I can be of further assistance.

Respectfully,

HIGHET LAW LLC



Cathy Highet