

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 XXXI OF THE
INDEPENDENT ADMINISTRATOR

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EDELSTEIN, District Judge:

WHEREAS in the instant Application, the Independent Administrator presented for this Court's review his opinion deciding the disciplinary charges against Charles J. O'Brien, an International Organizer with the Southern Conference of Teamsters; and

WHEREAS O'Brien was charged with four counts of violating Article II, Section 2(a) of the International Brotherhood of Teamsters Constitution by conducting himself in a manner to bring reproach upon the IBT by: (i) unlawfully receiving an automobile from an employer, for which he was convicted of violating 21 U.S.C. §186 on October 21, 1976 in the United States District Court for the Eastern District of Michigan, (ii) making materially false statements on a loan application submitted to a federally insured bank for which he was convicted of violating 18 U.S.C. §1014 on April 27, 1978 in the United States District Court for the Eastern District of Michigan, (iii) knowingly associating with eight members of La Cosa Nostra from January 1974 to the present, and (iv) embezzling \$12,187 of IBT funds to charter a private Lear jet for himself; and

WHEREAS the Investigations Officer's evidence with respect to charges one and two were the certified copies of the two judgment and commitment orders for the offenses for which O'Brien was convicted; and

WHEREAS the evidence with respect to charge three came from the sworn declarations of FBI special agents Robert J. Garrity and Samuel J. Ruffino, Jr., which delineated the organized crime connections of eight of the nine individuals that it was alleged

