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**THREE TEAMSTERS LOCAL 743 WORKERS CONVICTED OF LABOR FRAUD
AND THEFT OF UNION BALLOTS IN BID TO RIG CONTESTED 2004 ELECTIONS**

CHICAGO – A former officer and two employees of Teamsters Local 743 were convicted today of federal labor fraud and theft charges in connection with stealing union ballots in an effort to rig two elections in favor of an incumbent slate of officers in 2004, officials of the U.S. Justice and Labor departments announced. In two closely-contested elections just months apart, the three trial defendants — together with former Local 743 President **Robert Walston** and two other defendants who pleaded guilty before trial — diverted to their friends, family and confidantes hundreds of mailed, official ballot packages that were intended for delivery to Local 743 members, and then cast the ballots or caused them to be cast to ensure election of the incumbent slate. Local 743 of the International Brotherhood of Teamsters, based in Chicago, represents more than 12,000 members engaged in warehouse, office, medical, service and other industries, and is one of the largest Teamsters locals in the country.

A federal jury returned guilty verdicts today, after deliberating since Wednesday, against the three defendants whose trial began on April 6, announced Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois; Assistant Attorney General Lanny A. Breuer of the Justice Department's Criminal Division; Andrew Auerbach, Deputy Director of the Labor

Department's Office of Labor-Management Standards; James Vanderberg, Special Agent-in-Charge of the Labor Department's Chicago Office of Inspector General; and Thomas P. Brady, Inspector-in-Charge of the U.S. Postal Inspection Service in Chicago.

The defendants convicted at trial are: **Richard Lopez**, 55, of Maywood, who was secretary-treasurer of Local 743 between 2005 and 2007 and recording secretary from 1999 to 2005; **Thaddeus Bania**, 54, of Forest Park, who was Local 743's comptroller from approximately 2001 to late 2007; and **David Rodriguez**, 36, of Chicago, who was an organizer for Local 743 between 2003 and 2007. Lopez and Bania were each convicted of all counts against them, including conspiracy to commit mail fraud and theft of union property. In addition, Lopez was convicted of two substantive counts of mail fraud and one count of theft of union property, and Bania was also found guilty on four counts of mail fraud and six counts of theft of union property. Rodriguez was convicted of two counts of mail fraud and three counts of theft of union property, and he was acquitted of conspiracy, two mail fraud counts and two theft counts.

U.S. District Judge Charles Kocoras set sentencing for August 27. Each count of mail fraud carries a maximum penalty of 20 years in prison, and the conspiracy and theft counts each carry a maximum of 5 years in prison, and all charges carry a maximum fine of \$250,000 on each count. The Court will determine the appropriate sentence to be imposed under the advisory United States Sentencing Guidelines.

"Fair and honest officer elections are the cornerstone of our democratic union movement," Mr. Auerbach said. "Today's verdict demonstrates the Department of Labor's commitment to enforce the right of union members to open and fair elections."

Walston, 65, of Chicago, who was Local 743 president from 2001 until he retired in August 2007, pleaded guilty to related charges in march and testified as a government witness at trial. **Mark Jones**, 49, of Joilet, a Local 743 business agent from 2003 to 2006, also pleaded guilty and testified as a government witness. **Cassandra Mosley**, 52, of Gary, Ind., another Local 743 business agent from 2003 to 2006, also pleaded guilty in the case.

The jury found that the defendants deprived Local 743 of their honest services and of the ballots, which belonged to the union.

Evidence at trial and the plea agreements showed that Local 743 held elections for its officers every three years and had scheduled a mail ballot election for October 2004. The Local purchased official ballot packages consisting of an outer envelope in which a ballot would be delivered by mail to each member, a secret ballot, an envelope in which the secret ballot could be sealed, and a return envelope in which the sealed secret ballot could be mailed to Local 743 for tallying. In October 2004, two days after the ballot counting began, Local 743's executive board suspended the tallying before its conclusion and scheduled a rerun election in December 2004. The incumbent slate of officers won the December 2004 election, and the Labor Department later filed a civil lawsuit challenging the election results. Under the terms of a court-ordered settlement in July 2007, the Labor Department's Office of Labor-Management Standards supervised Local 743's October 2007, in which a challenging slate of candidates prevailed.

Between August and December 2004, the defendants engaged in rigging the elections by diverting official ballot packages to their friends, family and associates, and casting the ballots or causing them to be cast in both October and December for incumbent officers, known as the "Unity Slate," to ensure their election. The defendants caused the addresses of certain Local 743 members

to be changed in union records so that official ballot packages would be diverted in the mail to their friends, family and associates, rather than being delivered to Local 743 members in good standing who were eligible to vote in those elections. The defendants caused the addresses of Local 743 members in a computer database to be changed from the members' previously recorded addresses to new addresses collected and provided by the defendants that in fact belonged to their friends, family and confidantes. The defendants then collected the fraudulently delivered ballot packages, and the ballots later were cast or caused to be cast in favor of the incumbent slate of officers. In addition, dozens of mailed ballots were stolen from a post office box after they had been returned as undeliverable and those ballots were voted in favor of the incumbent Unity Slate.

The government is being represented by Assistant U.S. Attorneys David Buvinger and Nathalina Hudson and Vincent J. Falvo, Jr., a Trial Attorney in the Labor Racketeering Unit of the Criminal Division's Organized Crime and Racketeering Section.

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