

October 27, 2019

John F. Ring, Chairman,
Board Members, Marvin E. Kaplan, Lauren McFerran and William J. Emanuel
Shane Yountz
Rodolfo Martinez
Roxanne Rothschild

Office of the National Labor Relations Board
1015 Half Street, SE
Washington, D.C., 20003

RE: Kelman vs. IBT Local 492 NLRB Case #28-CB-207136

To Whom It May Concern:

Let this letter serve as my request for a "Motion for Reconsideration, Rehearing and Reopening the Record" I believe the new information and reiteration and reintroduction of old information should allow for a reconsideration, rehearing and reopening of the records in my case as it materially effects my case before you.

I mistakenly sent information in this document to the board las month without "proper" protocol per the letter from the office of the executive secretary dated Oct 9, 2019. I was informed by Rodolpho Martinez (NLRB) that my rights to reconsideration, rehearing and reopening of the records in my case were available to me. I have been unable to respond promptly as I've been working long hours that has kept me from getting to an open post office to send this document out to you.

Furthermore, I've been informed with reasonable assurance that Local 492 (and other locals with movie drivers) are being investigated by the office of the IIO/IRB (Internal Investigation Office/ Internal Review Board) and others federal agencies. These are ongoing legal proceedings against 492 that will, in the near future, beyond the date of this request, also effect my case before the board.

The IIO/IRB was set up in the late 1980's by SDNY to stop La Cosa Nostra/Organized Crime from infecting the International Brotherhood of Teamsters with corruption. I'm further requesting that the final decision in my case be delayed UNTIL the IIO/IRB investigation is complete and my new evidence is introduced. Mr. Yountz, the counsel for 492, should be able to confirm the upcoming proceedings, subpoenas, etc., as an officer of the court and possibly provide documentation to this effect from any and all government law enforcement agencies that 492 has received as well as any contact made

by such agencies that places 492's credibility on the line. Additionally, you have multiple NLRB cases against 492 by the membership.

I would also like to provide the following evidence as well as any other additional evidence that seems to be coming in at a rapid pace.

On Friday, September 13, 2019, I received documentation which I believe is pertinent to all legal considerations regarding my quest to seek Fairness, Equality and Justice under the Law *via* my submitted appeal/exceptions in the above legal matter which has now been set before your Distinguished Board at the Office for the General Counsel of the National Labor Relations Board in Washington, D.C.

This documentation unequivocally substantiates the fact that longstanding Local 104 of Arizona, Teamsters Union member, Rodd Wolff of Paradise Valley, Arizona, and fellow Union member, James R. Lewis of Pima County, Arizona, have—either singularly or collectively, been and /or (are continuing to be) simultaneously double-rostered on the June 25, 2015, revised September 14, 2016, *revised* /revised September 14, 2016, revised May 7, 2017, revised November 29, 2018, and revised January 3, 2019, Wrangler /Driver Lists;

—while simultaneous being listed on Local 492's illegal Exhausted/Supplemental / \$750 / [Extortion] Roster, commencing from in and around May /June, 2016, and continuing up and until this present time in September, 2019; I believe this is still ongoing.

—an ongoing circumstance which continues to be an unfair labor practice under the 1935 National Labor Relations Board Act because this rule has *not* (is not) being fairly and /or equally imposed upon all individuals whose names are listed and displayed on Local 492's illegal Group One Industry Experience Roster, illegal Group Two Industry Experience Roster, illegal Group Three Industry Experience Roster, illegal Exhausted Supplemental / [Extortion] Roster, illegal Group Six [Blackball] Roster,

—and /or any other additional illegal sub-list /roster emerging *from*; and /or sprung forth from any of the latter three rosters on a day to daily basis via the Arbitrary Absolutism of Business Representative of Local 492, Melissa Malcolm.

Longstanding Teamster Union member, and fellow Local member, Sean Walby of Black Canyon City, Arizona, emailed this documentation to me on September 13, 2019.

Therefore, please be so kind as to consider and allow my exhibits/evidence *vis-à-vis* the ongoing unfair labor practices of Local 492's (second) illegal *but de facto* hiring hall for the Motion Picture Industry in the thirteen Western States.

Additionally, per the last exceptions document from 492, that show that I corrected the 222 industry experience document per Jim Jacketta of 222 that show I was not lying as said by Mr. Yountz and 492. I mistakenly thought that 222 wanted to know what other locals I belonged to other than 492 which I corrected and Ron Schwab of the Teamster International confirmed by phone call that if corrected, I shouldn't have any problems with 492. For this Judge Tracy stated I have no credibility when in fact it is stated in the emails as well as Mr. Schwab's statements. According to Schwab, Malcolm misrepresented his and Tom Schatz's comments. I also have a copy of my corrected "Registration for Employment" form was used and received and confirmed by Jim Jacketta.

As explained to me by 222's business agent, Jim Jacketta, it was a form/document to show my work experience which if I didn't fill it out, I couldn't work in Utah. At that time, 222 didn't have a full team of experienced movie drivers per Jacketta and the Coordinator of "Yellowstone", Brittany (Curry) Alexander (who hired me BEFORE I signed the 222 document and not dispatched by 222), 492 and their attorneys seems want to make me appear dishonest and not credible when in fact it was nothing of the sort. All documentation in my original evidence that was sent to the NLRB during my initial charges (before my appeal) state all of this. Furthermore, I'm sure once you see the IIO/IRB case files with multiple charges against 492, my credibility will be restored.

Furthermore, I also have a copy of an email and a receipt for dobie dues/service fees from 222 that states that I am on a service fee/dobie dues basis. It is amusing that 492 is stating falsehoods that I have not paid dobie dues and ignore facts in which they've mischaracterized and downright lied. It seems, according Judge Tracy, that liars have more credibility than I do when they are represented by expensive lawyers that have been paid with my dues money (and other dues paying members), I'm sure the IIO/IRB case (and other agencies) will prove my point.

There are other issues I take exception with but hopeful you will see the facts through the 492 smokescreen of falsehoods with my exceptions. Additionally, I hope you will be able to receive this in evidence before you make your decision.

Again, if allowed to provide this additional evidence and with the upcoming IIO/IRB case against 492 being available to the esteemed members of the NLRB, you will reconsider my case for a rehearing, reopen the records and maybe even be predisposed to have my case reconsidered and Judge Tracy's decision overturned. Regardless, all I'm seeking is fairness, equality and justice against a corrupt, lawless teamster (492) local that is currently under investigation.

Thank your for your time, effort and professionalism in this most important matter for all Motion Picture Productions Drivers in New Mexico and the thirteen Western States who are employed under **Local 399's exclusive collective-bargaining agreement** with the Signatory Producers.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Bill Kelman', with a stylized, cursive flourish at the end.

Bill Kelman

RECEIVED

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NLRB
ORDER SECTION

Express

FedEx

ORIGIN ID:ABQA (310) 745-7007
WILLIAM KELMAN
7105 CASA ELENA DR NE
ALBUQUERQUE, NM 87113
UNITED STATES US

SHIP DATE: 04NOV19
ACTWGT: 0.30 LB
CAD: 6992067/SSFO2021
BILL CREDIT. CARD

of FedEx Express® shipping

Part # 156297-435 RROB EXP 09/20
C/SO/DECA/11/25

TO **NLRB**

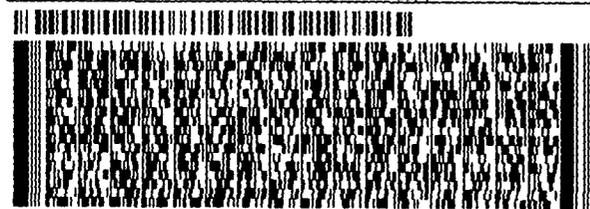
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WASHINGTON DC 20570

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ORDER SECTION
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