

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

KATHLEEN A. CARROZZA et al.

(b) County of Residence of First Listed Plaintiff Allegheny  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

KOLMAN ELY, P.C. 414 Hulmeville Ave. Pennel, PA 19047  
(215) 750-3134

## DEFENDANTS

International Association of Machinists and Internal Association of Machinists

County of Residence of First Listed Defendant Essex  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input checked="" type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

29 U.S.C.S. Section 411-12 and 28 U.S.C. Section 1391

Brief description of cause:  
labor violation LMRDA

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

07/03/2018

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

# INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

**KOLMAN ELY, P.C.**

By: W. Charles Sipio, Esq.

414 Hulmeville Avenue

Penndel, PA 19047

(T) 215-750-3134 / (F) 215-750-3138

*Attorney for Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**KATHLEEN A. CARROZZA**

604 Tartan Drive,

Monroeville, PA 15146

NO. \_\_\_\_\_

**-and-**

**JOZELLE PATTERSON**

9730 Palacios Ct.

Houston, TX 77064

CIVIL ACTION

**-and-**

**LISA J. CUNZEMAN**

14800 Russellville Rd

Capron, IL 61012

**-and-**

**SUZETTE GOLDSPINK**

580 West 2350

South Perry, Utah 84302

*Plaintiffs,*

vs.

**INTERNATIONAL  
ASSOCIATION OF  
MACHINISTS**

XJT Crew Room, Terminal A  
Newark Liberty International Airport  
3 Brewster Road,  
Newark, NJ 07114  
c/o

**INTERNATIONAL  
ASSOCIATION OF  
MACHINISTS,**

District Lodge 142  
400 N.E.32<sup>nd</sup> Street  
Kansas City, Mo 64116

*Defendant.*

**VERIFIED COMPLAINT**

Plaintiffs, by and through undersigned counsel, hereby file the following  
Verified Complaint against Defendant pursuant to Fed.R.Civ.P. 65(b)(1)(A):

**INTRODUCTION**

1. Plaintiffs, all flight attendants and members of the International Association of Machinists (hereinafter referred to as Defendant), bring this matter before the court on an emergent basis.
2. As described, in more detail herein, Defendant is attempting to ram through a vote on a new, far less favorable collective bargaining contract with Express Jet by violating the Labor-Management Reporting and Disclosure Act, 29 U.S.C.S §

411 (LMRDA) by discriminating against union members and denying them the right to vote in violation of in of the United States Supreme Court's interpretive guidelines in *Calhoon v. Harvey*, 379 U.S. 134, 85 S. Ct. 292, 13 L. Ed. 2d 190 (1965).

### **PARTIES**

3. The International Association of Machinists and Aerospace Workers (IAM) is an AFL-CIO/CLC trade union representing workers in more than 200 industries with most of its membership in the United States and Canada and with its relevant principal District Lodge in Kansas City Missouri but also with an office in Newark airport, as set forth above.

4. Kathleen A. Carrozza, Jozelle Patterson, Lisa J. Cunzeman and Suzette Goldspink are all flight attendants who will be affected by the new, less favorable, collective bargaining agreement if it is ratified by the rump members who are actually physically able to vote and who got notice of the new agreement.

5. The Plaintiffs are filing this Verified Complaint on behalf of themselves and all others similarly situated.

6. All of the Plaintiffs for the various reasons set forth below, but particularly because of the unlawful violations of the LMRDA by the Defendant, will either not be able to vote or will have to go through considerable disruption and expense in order to cast their ballot.

## **JURISDICTION AND VENUE**

7. Plaintiffs incorporate by reference the allegations set forth in the preceding paragraphs of the Complaint as though set forth at length herein.

8. This Court also has jurisdiction over this matter pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) as federal district courts have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

9. In particular, with respect to subject matter jurisdiction, Title 1 of LMRDA, 29 U.S.C.S § §411-12, gives this district court the jurisdiction to adjudicate a civil action for relief (including injunctions) as may be appropriate. 29 U.S.C.S §412.

10. Venue is proper in this district pursuant to 28 U.S.C. § 1391 as Defendant has one of its principal places of business within the District of New Jersey.

11. Venue is proper in this district pursuant to 28 U.S.C. § 1391 as the hub out of which one or more of the Plaintiff's work, is Newark airport, within the District of New Jersey.

12. Venue is proper in this district pursuant to 28 U.S.C. § 1391 as a substantial part of the events or omissions giving rise to the claims raised herein and will occur occurred within the District of New Jersey.

### **FACTUAL BACKGROUND**

13. The foregoing paragraphs are incorporated herein as if set forth at length.
14. Notice by the Defendant that there was a new collective bargaining agreement which required ratification by a vote was sent via email on June 29, 2018 but only to flight attendants who were paid up on their union dues despite the fact that the collective bargaining agreement will affect all flight attendants and despite Defendant's knowledge that many flight attendants who are injured, on disability and/or on company furlough have allowed their union dues to lapse.
15. These flight attendants, whose union dues have lapsed, can get reinstatement provided the union is cooperative and does not put in their way, bureaucratic obstacles.
16. Voting is not by mail ballot.
17. Union members are required to show up in person to cast their votes.
18. Voting can only occur on July 9, 2018 from 9.00 am to 6.00 pm (local time), July 11 from 9.00 am to 6.00 pm (local time) and July 13, 2018 from 9.00 am to 6.00 pm (local time).
19. Voting can only occur at the following airports Newark, O'Hare (in the Hilton Hotel), Houston, Cleveland, Dallas-Fort Worth, LaGuardia and Atlanta.

20. Flight attendants live throughout the continental United States and other foreign countries, not necessarily close to one of the airports where voting can occur.

21. Only a flight attendant who is a paid-up union member is entitled to vote.

22. Defendant is aware that most flight attendants who are on Company Offered Leave of Absence (COLA), FMLA, OJI (on-the-job injury) or disability have allowed their union membership to lapse.

23. Defendant has deliberately left insufficient time for these flight attendants or for others, who objected to union dues, to become reinstated members.

24. In order to renew membership, an entirely new membership form needs to be filled out by the employee in full, and sent via mail to the address in Kansas (see caption of Complaint).

25. Then, provided it is approved, there is another payment to be sent to the local Lodge and only then will an employee be reinstated.

26. Defendant is fully aware that there is insufficient time between June 29, 2018 and July 13, 2018 to get employees reinstated.

27. More importantly, no accommodation, with respect to either time or process is being extended to flight attendants who are:

- a. Disabled and restricted in their mobility and who are unable to get and/or travel to a place of voting within the time or without great expense and/or pain and/or inconvenience to their recovery.



- b. Those who have been injured on the job (OJI) and who also are unable to travel to a place of voting within the prescribed time and/or without great expense, pain and/or inconvenience to their recovery.
- c. Military personnel who are on military duty, deployed, on maneuvers and are otherwise unable to get leave.
- d. Those on COLA who are otherwise employed in other jobs and/or who live a distance from a place of voting and would have great expense and difficulty in physically getting to the place of voting on time.
- e. Those on a vacation which was scheduled and approved months before (it should be noted that many flight attendants are on vacation during the summer).
- f. Those flight attendants who have been sent on trips by the Defendant to airports i.e.; in Canada or in Charlotte, North Carolina where voting cannot take place.
- g. Those on jury duty who cannot be excused during the pendency of the trial.

28. The Union is violating its own By-Laws by refusing to accommodate the classes in (a)-(g) inclusive. Specifically, Section 7, 'Absentee Ballots' pages 9- 10, hereto attached and incorporated as Exhibit 1.

29. Further these By-Laws have no regulations or requirements for an in-person vote and address only ballot voting. Exhibit 1, Section 8.10 - 11.

30. It should be noted that those on FMLA, disability and OJI have no flight benefits unless specifically granted.

31. They are not permitted to fly standby.

32. They are not permitted to fly free of charge.

33. Even if Defendant made an accommodation form them and permitted them to fly, for the limited purpose of voting at one of the designated airports, there is no

guarantee that these flight attendants, because they were flying standby, would ever get a seat on the plane.

34. Further, many of these disabled and injured flight attendants cannot fly which is why they are on disability and/or FMLA and/or OJI in the first place.

35. Kathleen A. Carrozza is currently on Company Offered Leave of Absence (COLA) and is in Pittsburgh with her union dues lapsed as of the filing of this complaint.

36. Jozelle Patterson and Lisa J. Cuzeman have vacations with their family that were scheduled over a year ago.

37. Suzette Goldspink has no flying privileges. She was injured on the job (OJI) on February 6, 2018 and underwent surgery March 26, 2018. She has had to specifically request permission to fly to exercise her right to vote.

38. Defendant has stated in writing, (herein attached and incorporated as Exhibit 2) that it is not going to make any accommodation for these flight attendants and presumably, certainly not for the other categories enumerated in in paragraph 25 above.

**WHEREFORE**, Plaintiffs, on behalf of themselves and all others, situated in classes 26 (a)-(g) inclusive) are victims of clear and present violations of the LMRDA beyond remediation and request equitable relief in the form of a temporary restraining order and a preliminary injunction along with any other

relief this Court deems just and proper including but not limited to attorney's fees and/or other damages.

Respectfully submitted,

KOLMAN ELY, P.C.

/s/ W. Charles Sipio, Esq.  
Timothy M. Kolman, Esq. (lead counsel) (*pro hac vice application to be filed*)

W. Charles Sipio, Esq.  
414 Hulmeville Avenue  
Penn del, PA 19047  
(T) 215-750-3134 / (F) 215-750-3138  
tkolman@kolmanlaw.net  
wcsipio@kolmanlaw.net

*Attorneys for Plaintiffs*

Dated: July 3, 2018

**CERTIFICATION PURSUANT TO LOCAL RULE 11.2**

I, W. Charles Sipio, Esquire, the undersigned attorney of record for Plaintiffs, do hereby certify to my own knowledge and based upon information available to me at my office that the matter in controversy is not the subject of any other action now pending in any court or in any arbitration or administrative proceeding.

/s/ W. Charles Sipio  
W. Charles Sipio, Esquire

Dated: July 3, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that the following Verified Complaint was served upon the following via personal service:

INTERNATIONAL ASSOCIATION OF MACHINISTS

District Lodge 142  
400 N.E.32<sup>nd</sup> Street  
Kansas City, Mo 64116

/s/ W. Charles Sipio  
W. Charles Sipio, Esquire

Dated: July , 2018

# EXHIBIT 1

## **DISTRICT LODGE #142**

### **BYLAWS**

#### **PLATFORM**

This Platform is intended as a basis on which to build and it is anticipated that as goals are realized and as new problems arise, that it will be changed to fit the needs of the membership of District 142.

1. Adequate pay for the skills involved.
2. Weekly pay periods.
3. Abolishing of personnel records.
4. Shorten hours of labor to thirty (30) hours per week.
5. Extra pay for night work based on percent of pay and not a flat rate which tends to lose effect in a changing economy.

#### **PREAMBLE**

In order to make for a unified effort to correct any and all irregular conditions that may now be or hereafter arise, we, the various lodges holding charter with the International Association of Machinists and Aerospace Workers have, according to the IAM Constitution, joined together in the forming of a District Lodge, and are to be governed by these bylaws.

**Approved: 3-31-16**

**Effective: 4-1-16**

**BYLAWS OF**  
**AIR TRANSPORT AND AEROSPACE DISTRICT LODGE #142**  
**INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS**

**ARTICLE I**

**Name and Purpose**

Section 1. This body shall be known as Air Transport and Aerospace District Lodge #142 of the International Association of Machinists and Aerospace Workers. It shall be maintained for the purpose of facilitating the work of the organization of all affiliated personnel of employers, whose employees may become affiliated with this District for the perfection of the organization when complete and by which work may be better handled for the interest of those employed in our branch of the craft, and the keeping of each other informed on all parts of the system in that which we are interested.

Section 2. This District shall work in harmony with all other Districts of the International Association of Machinists and Aerospace Workers associate and share in common the benefits derived from the organization and brotherly affiliation.

Section 3. This District is the highest tribunal of the IAM within its limits and under the general laws of the Order, subordinate to the Grand Lodge, and no local lodge shall make laws in conflict with the laws of the District.

**ARTICLE II**

Section 1. The main office and/or the minor offices of the District shall be established by the District Executive Board.

Section 2. Full-time representatives of District #142 may reside at their respective home points while on full-time status. In keeping with Article IX, Section 2, they shall not be eligible for daily per diem while at their home or domicile.

**ARTICLE III**

**Conventions**

Section 1. The District shall meet biennially in convention. Convention dates shall be established by the District Executive Board. The District Executive Board shall meet one day in advance of the convention.



## Section 6. Election Procedures

a) No nominee may be a candidate for more than one (1) office. In the event there is only one (1) nominee for any of the respective offices, the nominee's name will appear on the ballot without opposition. "Write-in" votes are not permitted and will not be tabulated.

b) The election of District Lodge Officers will be held the second Friday in June from 6:00 am to 6:00 pm.

c) After the foregoing provisions have been complied with, the District Secretary-Treasurer shall, not later than May 1st, prepare the ballot and have printed thereon the names of all eligible candidates, together with the book number and the Local Lodge of which they are respectively members at the time of nominations, said names to be arranged in order according to the number of endorsements received by each candidate for each office stated.

d) All ballots shall bear the seal of the District Lodge and be so arranged that a voter may with ease designate his choice by marking (X) opposite names of those candidates for whom s/he wishes to record his or her vote.

e) The District Secretary-Treasurer shall supply all Local Lodges with a sufficient number of ballots (without charge and no other ballots are to be used) to enable each District Lodge 142 member in good standing to cast a vote.

f) The District Secretary-Treasurer shall furnish tally sheets in triplicate to tally the votes of the members of the Local Lodges.

- o One (1) tally sheet shall be given to and retained by the Local Lodge Recording Secretary.
- o One (1) shall be enclosed in a sealed and signed container with the ballots / stubs and returned by express mail to the District Secretary Treasurer.
- o One (1) shall be forwarded to the District Secretary- Treasurer by fax or e-mail immediately after the tally.

## Section 7. Absentee Ballots

a) Absentee Ballot information as to who is eligible to receive an absentee ballot as hereafter provided shall be communicated to such members in the notice mailed in December preceding an election year, as set forth in Section 4 above.

b) Members eligible to vote in the District Lodge Election by absentee ballot are:

- Members who reside in outlying districts more than twenty-five (25) miles

from the designated balloting place.

- Members who are confined because of verified illness
- Members on leave qualifying under Federal, State or Territorial family leave laws.
- Members on Vacation (does not apply to retired members)
- Members on official IAM business approved by LL, DL or GL.
- Members on employer travel assignment.
- Members on reserve military leave

c) All requests must be made singly, in writing, by the requesting member and delivered by mail to the District Secretary Treasurer. The following provisions apply: (1) the written request for an absentee ballot must be received by the District Lodge Secretary-Treasurer not later than 30 days before the election; (2) the request must contain the members full, current address; (3) the member must sign the request; (4) if the records of the Lodge indicate that the applicant is eligible to vote in the election, the District Lodge Secretary Treasurer shall immediately mail the absentee ballot once ballots have been printed; (5) if, in the judgment of the District Secretary Treasurer, the member is not entitled to vote by absentee ballot, the member will be so notified, in writing, as soon as possible but no more than 10 days after receipt of the request for an absentee ballot.

d) The requesting member will mark his/her ballot and mail it to the District Lodge Secretary Treasurer in the proper envelopes provided by the District Secretary Treasurer along with the absentee ballot, in accordance with the instructions so as to be received by the Secretary Treasurer at the designated P.O. Box no later than the second Friday in June, the day on which the election is held.

e) The District Secretary Treasurer, accompanied by the District Tellers, will retrieve absentee ballots from the designated P.O. Box and turn them over to the District Tellers together with all mail ballot requests prior to the close of the polls at the latest local lodge voting location on the day of the election.

## Section 8. Polling

a) At the first Local Lodge meeting held in the month of May in an election year, each Local Lodge President shall appoint at least three (3) members as Tellers who shall receive, record and count the votes of members of their Local Lodges. In case one (1) or more of said Tellers are unable to act, then the President of the Local Lodge shall fill the vacancy by appointment.

b) Votes shall be received by the Local Lodge Tellers from the opening of the polls at 6:00 am to the closing of the polls at 6:00 pm on the second Friday in June.

c) All ballots must be marked in ink. All votes shall be deposited in the presence of at least two (2) of the Tellers. Each candidate shall be entitled to an Observer at the voting and tabulation of ballots.

d) All ballots containing erasures, any type of mutilation made by a voting member, or where the intent of the voter cannot be determined shall be voided with respect to the vote for all races on the ballot in which the defect is identified. The voting member can return a spoiled ballot to the Local Lodge Tellers and exchange it for a new ballot.

#### Section 9. Tabulation

a) The President/Directing General Chairman of the District Lodge shall appoint at least three (3) Tellers to assist in conducting the election in a fair and impartial manner.

b) The District Secretary-Treasurer shall be the custodian of all ballots and tally sheets and he/she shall, after the District Lodge Tellers are duly organized and on their demand, surrender unopened and in their original envelope or packet, all ballots and tally sheets.

c) The District Lodge Inspectors of Elections and Tellers shall meet with the District Secretary-Treasurer ten days after the Election Day and proceed with the count.

d) The ballots and tally sheets shall be opened only by at least three (3) District Lodge Tellers. Ballots and tally sheets not mailed in accordance with these Bylaws shall not be counted.

e) The District Lodge Tellers shall have full charge of the counting of the ballots and prior to the counting of the ballots, must adopt rules to govern their work.

f) Observers for candidates may be present to watch the tabulation of votes by the District Lodge Tellers.

g) After they have counted and tabulated the votes cast in each Local Lodge and absentee ballots for the respective candidates, the District Secretary-Treasurer will have the signed reports of the Tellers printed and a copy emailed to each candidate. He/She shall also publish a Lodge-by-Lodge tally on

## EXHIBIT 2



SG



Sara



Kathy Szatkowski Carrozza  
Sara.. There are 600 of  
us..correct? Some on COLA,  
some furloughed, some  
flying, vacation time, FMLA  
etc. it just would have been  
a good consideration.

So those on FMLA that are  
really sick and can't make it  
to base, those on scheduled  
vacation? Those maybe on  
jury duty? Military service?  
Or those that are working  
that maybe just have a quick  
turn in a base.

How do they vote?

4m Like Reply

Hey Sara, so much going  
on everywhere regarding  
the TA. I posted this but  
know how easily posts can  
get lost in the  
insurmountable amount of  
posts!

How is this working and



iMessage





SG



Sara

4m Like Reply

Hey Sara, so much going on everywhere regarding the TA. I posted this but know how easily posts can get lost in the insurmountable amount of posts!

How is this working and how can I help these Co-workers?

They have to come into any base to vote.

Sunday 5:40 PM

Ok. thanks

Delivered



iMessage





IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

KATHLEEN A. CARROZZA, et  
al.

*Plaintiffs,*

vs.

INTERNATIONAL  
ASSOCIATION OF  
MACHINISTS

*Defendant.*

NO. \_\_\_\_\_

CIVIL ACTION

DECLARATION OF SUZETTE  
GOLDSPINK

I, Suzette Goldspink, hereby make this declaration pursuant to 28 U.S.C.

§1746:

1. I am a Plaintiff in the above-referenced case.
2. I have personal knowledge of myself, my activities, and my intentions,  
including those set out in the foregoing Verified Complaint and if called on  
to testify I would competently testify as to the matters stated herein.
3. I have read the facts of the verified complaint and they true and correct to  
the best of my knowledge, information and belief.
4. I verify under penalty of perjury under the laws of the United States of  
America that the factual statements in this Verified Complaint are true and  
correct consistent with 28 U.S.C. § 1746

  
SUZETTE GOLDSPINK

Dated: 6-2-18

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**KATHLEEN A. CARROZZA, et  
al.**

*Plaintiff,*

**vs.**

**INTERNATIONAL  
ASSOCIATION OF  
MACHINISTS**

*Defendant.*

NO. \_\_\_\_\_

CIVIL ACTION

**DECLARATION OF  
KATHLEEN A. CARROZZA**

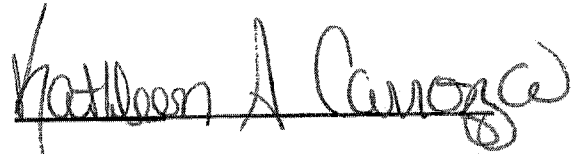
I, Kathleen A. Carrozza, hereby make this declaration pursuant to 28 U.S.C.

§1746:

1. I am a Plaintiff in the above-referenced case.
2. I have personal knowledge of myself, my activities, and my intentions,  
including those set out in the foregoing Verified Complaint and if called on  
to testify I would competently testify as to the matters stated herein.
3. I have read the facts of the verified complaint and they true and correct to  
the best of my knowledge, information and belief.



4. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Verified Complaint are true and correct consistent with 28 U.S.C. § 1746.

  
KATHLEEN A. CARROZZA

Dated: July 2 2018

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

KATHLEEN A. CARROZZA, et al.  
*Plaintiffs,*

vs.

INTERNATIONAL ASSOCIATION  
OF MACHINISTS

*Defendant.*

NO. \_\_\_\_\_

CIVIL ACTION

DECLARATION OF LISA  
CUNZEMAN

I, Lisa Cunzman, hereby make this declaration pursuant to 28 U.S.C. §1746:

1. I am a Plaintiff in the above-referenced case.
2. I have personal knowledge of myself, my activities, and my intentions, including those set out in the foregoing Verified Complaint and if called on to testify I would competently testify as to the matters stated herein.
3. I have read the facts of the verified complaint and they true and correct to the best of my knowledge, information and belief.
4. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Verified Complaint are true and correct consistent with 28 U.S.C. § 1746.

Dated: 23 July 18

LISA CUNZEMAN



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**KATHLEEN A. CARROZZA, et  
al.**

*Plaintiffs,*

**vs.**

**INTERNATIONAL  
ASSOCIATION OF  
MACHINISTS**

*Defendant.*

NO. \_\_\_\_\_

CIVIL ACTION

**DECLARATION OF JOZELLE  
PATTERSON**

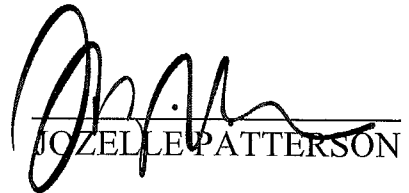
I, Jozelle Patterson, hereby make this declaration pursuant to 28 U.S.C.

§1746:

1. I am a Plaintiff in the above-referenced case.
2. I have personal knowledge of myself, my activities, and my intentions,  
including those set out in the foregoing Verified Complaint and if called on  
to testify I would competently testify as to the matters stated herein.
3. I have read the facts of the verified complaint and they true and correct to  
the best of my knowledge, information and belief.

4. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Verified Complaint are true and correct consistent with 28 U.S.C. § 1746.

Dated: July 2, 2018

  
JOZELLE PATTERSON