

3. The ALJ erred in concluding that the filing date of the Hartford lawsuits was determinative of the issue of whether the Teamsters' offer, promise and provision of free legal services to voters during the critical period destroyed the required laboratory conditions, thereby requiring that the election be set aside.

4. The ALJ erred in failing to find that the Teamsters, their agents, partners and surrogates collaborated to offer, promise and provide free legal services to voters during the critical period.

5. The ALJ erred by prohibiting the Company from compelling the production of testimony and documents from William Gardner, an admitted Teamster organizer who solicited potential class action plaintiffs for the self-styled "union law firm" of Pyle, Rome, Lichten, Ehrenberg & Liss-Riordan, P.C. ("Liss-Riordan Firm").

6. The ALJ erred by prohibiting the Company from compelling the production of testimony and documents from the Liss-Riordan Firm.

7. The ALJ erred in failing to set aside the election due to the Board Agent's improper disregard for the Company's challenges to the ballots of voters Chiappa and Dizunno, which were based on changed circumstances.

8. The ALJ erred in finding that the Company failed to carry its burden of establishing that there was a change of circumstances where the Board Agent prevented the Company from presenting any evidence of changed circumstances when he improperly circumvented the mandatory challenged ballot clearing process, in violation of the Company's due process rights.

9. The ALJ erred by creating and imposing a post-hoc, extra-procedural challenged ballot requirement on the Company.

WHEREFORE, for the reasons stated above and in the Company's accompanying Brief in Support of Its Exceptions to the Decision and Recommended Order, the Company respectfully

requests that the Board reject the Decision and Recommended Order of the Administrative Law Judge and ORDER that the election be set aside.

Respectfully submitted,

/s/ Doreen S. Davis
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