

October 15, 2002

Mr. Mac A. Fleming  
International President  
Brotherhood of Maintenance of Way Employes  
26555 Evergreen Road  
Suite 200  
Southfield, Michigan 48076-4225

OVERNIGHT MAIL

Dear President Fleming:

I am in receipt of a five page undated letter that I have received from Grand Lodge (your office) within the last week. This five page letter from Grand Lodge is in support of the proposed IBB/BMWE merger. As you know the ballots have been mailed to the membership and the members are presently voting for the merger or against the merger.

In this five page letter there are signatures of support from several Grand Lodge and System Officers. On the third page of this letter my name, along with my signature, is listed as being in support of the proposed IBB/BMWE merger. Underneath my name there is an asterisk. At the bottom of the fifth page the asterisk explanation states, "SIGNATURE BY PERMISSION."

President Fleming, please be advised that at no time did I give you, or anyone else, from the BMWE permission to use my name or reproduced signature in support of the IBB/BMWE merger. In fact, just the opposite is true. I do not support the proposed merger because while Grand Lodge and System officers are taken care of by the merger, the membership gain nothing from this merger. Furthermore, the membership will lose rights presently enjoyed under the BMWE.

Therefore, I am demanding that you immediately send out a retraction relative to my support of this merger. This retraction is to be sent out to all persons and or members that were sent this five page letter alleging to have my support for the IBB/BMWE merger. In addition to my name it is my understanding other names were fraudulently used as well.

Lastly, I am seeking legal advice for taking action against Grand Lodge for fraudulently using my name in support of this proposed merger.

Please advise immediately of your intentions in this matter.

Sincerely Yours,

Kennett Cowan