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May 6, 2005

United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107-4250

Art May
704 Blooming Grove
New Windsor, NY 12553

Attn: Paul C. Thompson
International President

Dear Sirs:

Please be advised that the law firm of Holm & O'Hara LLP represents the Association of Commuter Rail Employees ("ACRE") and the individual officers of ACRE. I have been advised that Art May, a UTU representative, has distributed a letter dated April 30, 2005, on UTU letterhead which is inaccurate and defamatory. It includes improperly obtained company documents/information and a fraudulent, inaccurate email purportedly from Michael Doyle, an ACRE officer.* The UTU letter dated April 30, 2005 was distributed by UTU representative, Art May, to ACRE members to defame the leadership of ACRE. Mr. May inaccurately and falsely states (i) that the MTA is "subsidizing" ACRE; (ii) that the MTA is paying the 3% pension contribution which should be deducted from gross earnings on behalf of ACRE officers; (iii) that ACRE is "risking tax remittance complications and gaining additional assistance from the MTA"; (iv) that ACRE officers are "double dipping"; (v) that officers of ACRE use days marked off for "union business" as "personal days"; (vi) that ACRE officer Jack Gaines "has been sighted" playing golf on Friday while marked off for "union business."

These allegations are false and constitute libel. If you wish to avoid litigation, forward a retraction of the letter of April 30, 2005 together with an apology to the officers of ACRE.

Additionally, Mr. May utilized a nonpublic document and confidential information available only through the employer Metro-North. ACRE demands that Mr. May return all copies of the document and nonpublic information to Metro-North with an explanation of how this document and information came into his possession.

* I have enclosed a copy of the letter dated April 30, 2005 but not the enclosures as I am not at liberty to disseminate this information.

United Transportation Union

May 5, 2005

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Your prompt attention to this matter is necessary

Very truly yours,



Vincent P. O'Hara

VFO/hv

cc: Anthony Bottalico ✓

Michael Doyle

John Gaines

Mark Amorello

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