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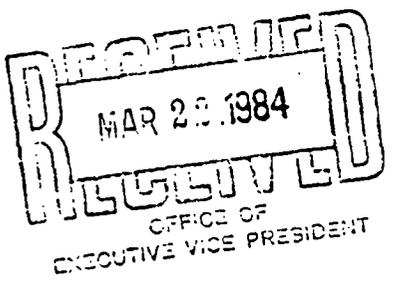
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M E M O R A N D U M

TO: Moe Biller  
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Tom Neill

FROM: Darryl Anderson *[Signature]*

RE: Short Statute of Limitations on Suit to Set Aside Arbitration Award

DATE: March 20, 1984

Notwithstanding the Supreme Court's recent decision in DelCostello applying a six-month statute of limitations in DFR cases brought against unions, the Courts have continued to apply shorter state limitations periods to actions to set aside arbitration awards. This means that, when we wish to challenge an arbitration award, we must do so within 20 to 90 days after the award issues to be sure we will not be time-barred, depending on the applicable limitations period under state law.

Because the finality and enforceability of arbitration awards tends to favor the Union, this is not a bad development; it merely requires diligence on our part if we choose to challenge an award. It has not been settled which limitations period will apply under our Agreement. We contend that it must be a Federal period of 90 days or the three-month period set by District of Columbia law; but the USPS may try to apply a shorter period in cases which arise in a state with a shorter period.

DJA:kr