

Cause No. \_\_\_\_\_

Arturo Dominguez,	§	In the District Court
Plaintiff,	§	
	§	
vs.	§	___ Judicial District
	§	
Raul S. Villarreal, President, Laredo Licensed	§	
U. S. Customs Brokers Association, Inc. and	§	
International Bank of Commerce, Laredo, Texas,	§	
Defendant.	§	Webb County, Texas

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Verification and Affidavit in Support of  
Application for Temporary Restraining Order

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BEFORE ME, the undersigned notary public, on this day personally appeared Arturo Dominguez (affiant), and upon administering the oath, on his oath, deposed and testified as follows, to-wit:

1. My name is Arturo Dominguez. My date of birth is xx-xx-xxxx and my address is A Brokerage Firm, LLC, 8520 Tejas Loop, Laredo, Texas 78045. I am over the age of eighteen, of sound mind, and am otherwise competent to make this affidavit.
2. I have read the above and foregoing plaintiffs' original petition and application for temporary restraining order and injunctive relief in this cause. The facts and statements contained in plaintiff's original petition and application for temporary restraining order and injunctive relief and in this affidavit are true and correct based upon my personal knowledge.
3. I declare under penalty of perjury that the facts and statements contained in this affidavit and in plaintiff's original petition and application for temporary restraining order and injunctive relief are true and correct. TEX. CIV. PRAC. & REM. CODE ANN. § 132.001 (West 2013); Tex. R. Civ. P. 21c.

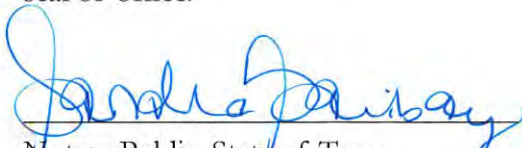
4. I am a member in good standing with the Laredo Licensed U.S. Customs Brokers Association, Inc. Attached as exhibit "A" to this affidavit is a true and correct copy of its bylaws.
5. On August 22, 2019, I received an email from Rodolfo Delgado, nominating committee chairperson of the LLUSCBA, stating that nominations for 2020–2021 officers needed to be in a group or slate (president, vice–president, treasurer, secretary, and three board members) received by August 30, 2019, which is 60 days before the scheduled October 30, 2019 annual meeting. This email is attached as exhibit "B." The applicable bylaw states that 30 days before the annual meeting, the nominating committee must provide a report of nominations to the Secretary who must then deliver a ballot with a proxy to each regular member.
6. On August 30, 2019, I provided by email a slate of candidates for 2020–2021 officers. (Exhibit "C") On August 31, 2019, Jose D. Gonzalez, forwarded my nominations, which were rejected by president Raul S. Villarreal for being untimely. On September 1, 2019, Jose D. Gonzalez asked Raul S. Villarreal if any changes had been made to the two applicable bylaws regarding the time frame for elections and the unauthorized requirement that nominations be made in a slate or group. Mr. Villarreal responded that the attendees at a recent meeting modified the bylaws requiring nominations by slate. (Exhibit "D")
7. On September 22, 2019, I advised Rodolfo Delgado by email that the bylaws of the LLUSCBA were being violated by requiring officer nominations more than 30 days prior to an annual meeting. (Exhibit "E")
8. On September 27, 2019, I received an email ballot and proxy from the LLUSCBA allowing email voting. (Exhibit "F") On October 2, 2019, I emailed the Association that voting by email is not allowed under the applicable bylaws. (Exhibit "G") On October 3, 2019, Raul S. Villarreal provided a "President's Statement" in which he stated that the nominating committee met with the Board at its monthly meeting and decided on the August 30, 2019 deadline for officer nominations. Mr. Villarreal also stated that email voting had taken place in the past, he saw no reason to email voting could not be allowed, and then decided each member could decide whether to vote by email or in person. (Exhibit "H")

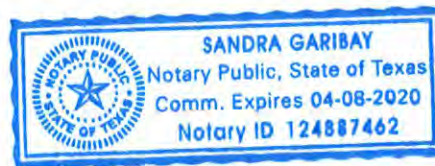
9. On October 10, 2019, Rodolfo Delgado admitted that email voting was not expressly permitted by the bylaw, but that it is not prohibited and has occurred in the past. (Exhibit "I")
10. On October 17, 2019, I requested a special meeting for the election of 2020–2021 officers and suggested that the bylaws could be amended to allow for future voting by email. (Exhibit "J")
11. On October 24, 2019, my lawyer requested an election that would include my nomination. (Exhibit "K") No response was received.
12. On August 30, 2019, an unopposed slate of officers was elected by email voting. (Exhibit "L")
13. The exhibits A-L attached to this affidavit were sent or received by me and then made and kept in the ordinary course of my business at or near the time of the events described therein by persons with knowledge of the events described therein.

Further, affiant says not.

  
\_\_\_\_\_  
Arturo Dominguez

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned notary public, on this the 3rd day of December 2019, by Arturo Dominguez, to which witness my hand and seal of office.

  
\_\_\_\_\_  
Notary Public, State of Texas



**THE LAREDO LICENSED U.S. CUSTOMS BROKERS ASSOCIATION, INC.****ARTICLE I - NAME OF THE ASSOCIATION**

This organization shall be known as THE LAREDO LICENSED U.S. CUSTOMS BROKERS ASSOCIATION, INC. (LLUSCBA).

**ARTICLE II – OBJECTIVES**

The objectives of this not-for-profit association are to protect and further the business and interests of Licensed U.S. Customs Brokers: to encourage the maintenance of professionalism within our industry, to maintain a standard of integrity and efficiency that will protect clients and the Government in the fair, reasonable and equitable administration of import and export laws and regulations and to develop acquaintance and good fellowship among Members.

**ARTICLE III - MEMBERSHIP**

Section 1. BECOMING A MEMBER: Interested parties with desire to become a Member of the LLUSCBA must be recommended by a regular Member and submit an application to the Association, which shall include evidence of the applicant's qualifications and integrity. The application will be reviewed by the Membership Committee and forwarded with applicable comments to the Board. The Board may accept or reject such applicant by majority vote and the applicant shall be advised of such acceptance or rejection.

Section 2. There shall be five classes of Membership: (a) Regular, (b) RLF Filers, (c) Associate, (d) Honorary and (e) Affiliated Association Membership.

**Section 3. CLASSES OF MEMBERSHIP**

(a) REGULAR: This class of Membership shall be restricted to persons, firms or corporations that hold a license as U. S. Customs Broker and that are regularly engaged in business as Licensed U.S. Customs Brokers located in Laredo, Texas Customs District. Such persons, firms or corporations shall be admitted for Membership as a business organization only, and in all matters coming before the Association only one vote will be permitted to each Regular Member, including all its branches, affiliates, subsidiaries or other related companies. No person, firm or corporation, however, may vote at any meeting unless he is a duly authorized representative of the Member he represents, and the President or person acting as such, at any meeting may call upon such representative to produce evidence as to the authorization of the representative by the member.

(b) REMOTE LOCATION FILERS (RLF): This separate class of Membership covers persons, firms or corporations regularly engaged in business as Licensed U.S. Customs Brokers filing with National Permits and not physically located in Laredo, Texas. They shall not be counted when determining quorum, cannot vote or hold office.

(c) ASSOCIATE: This class of Membership shall be restricted to persons, firms or corporations not licensed as Customs Brokers but engaged in a business related to logistics, transportation, or international trade services. Associate Members may attend general Membership meetings at the discretion of the President or the Board. No Associate Member may utilize the Membership in a manner contrary to the policy of the Association. Associate Members must use the word "Associate" to describe their Membership in all printed material, advertisements and/or publications. They shall not be counted when determining quorum, cannot vote or hold office.

(d) HONORARY: This class of Membership may be conferred upon any person who in the opinion of the Board has rendered an outstanding contribution to this Association, to the Customs Brokerage and/or International Freight forwarding industry. Honorary Members shall be exempt from any dues or assessments levied. They shall not be counted when determining quorum, cannot vote or hold office.

Voted and approved by general membership on November 29th, 2017





(e) AFFILIATED ASSOCIATION: Any association with a Membership of persons, firms or corporations engaged in a business related to international trade or transportation may upon application to and an affirmative vote by the Board, be accepted for Membership as an AFFILIATED ASSOCIATION Member. They shall be exempt from dues if they reciprocate to LLUSCBA the same benefits in their Association. Affiliated Association Members may attend general Membership meetings at the discretion of the President or the Board. They may not utilize this Membership in a manner contrary to the policy of the Association. Affiliated Association Members must use the word "Affiliated" to describe their Membership in all printed material, advertisements and/or publications. They shall not be counted when determining quorum, cannot vote or hold office.

Section 4. ATTENDANCE: There shall be no restriction as to the number of representatives of any Regular Member firm who may attend meetings, but only one vote shall be permitted to each Regular Member, as provided in Section 3(a) above. There shall be no restriction as to the number of representatives of any RLF Member firm who may attend meetings.

Section 5. CLASS DISPUTE: Any dispute concerning class of Membership of an applicant shall be decided by majority vote of the Members of the Board.

#### ARTICLE IV – CENSURE, SUSPENSION & EXPULSION

Section 1. If the conduct of any Member shall appear to the Board to be improper or prejudicial to the character and welfare of the Association, or contrary to or in violation of its bylaws and rules, the Board shall inform such Member thereof in writing, which notice shall be delivered or sent by mail to the Member informing him of the time when he may be HEARD in his defense before the Board. At such HEARING he may be censured, suspended or expelled by a 2/3 vote of the Board Members present. At least ten days shall elapse between the service of such notice and said meeting of the Board.

Section 2. Such hearing may be adjourned from time to time by the Board, but any Board Member who shall not have been present at any meeting of the Board at which evidence is taken, or at which the Member whose conduct is involved in a hearing is heard, shall not participate in the final decision.

Section 3. A Member may be censured, suspended or expelled when:

(1) it has been determined by an appropriate governmental agency that the Member has violated a federal law or regulation relative to Customs Brokers, Department of Commerce and/or International Freight Forwarders, such violation being sufficient for the denial, suspension or revocation of a license, or

(2) the Member has been found guilty of a violation of a federal or state law involving moral turpitude, or

(3) the Member engaged in activities or changes its status in such a manner which would cause it to become ineligible or unacceptable if it were then applying for Membership, or

(4) a Member knowingly falsifies information to the Association.

#### ARTICLE V - MEMBERSHIP DUES

Section 1. The initiation fee and annual dues for all classes of Membership shall be established from time to time by the board.

Section 2. Any extraordinary expenses shall be provided for by a special assessment at a meeting of the Board, provided that the Board Members have been advised of such proposal 10 days prior to said meeting.

Section 3. Annual dues shall be established by the Board and published 30 days prior to the end of the calendar year, and shall be payable January 1 of each year.

Voted and approved by general membership on November 29th, 2017

Section 4. In the event any Member shall fail to pay within one month, any sums due the Association his name may be posted as delinquent. A list of delinquents may be read at any general or special meeting. Any Member may be expelled for delinquency upon a majority vote of the Board. A Member thus expelled may be reinstated by a majority vote of the Board upon said Member making payment of the unpaid amount plus a penalty.

Section 5. The resignation of a Member shall not relieve him from payment of accrued dues or assessments.

#### ARTICLE VI - MEETINGS

Section 1. There shall be an Annual Meeting of the Association at such time and place as the President shall designate.

Section 2. The Membership meeting shall be held periodically at such time and place as the President shall designate.

Section 3. Meetings of the Board shall be held every month at such time and place as the President shall designate.

Section 4. The President may invite to meetings persons whose presence may be interesting or beneficial to the Membership.

Section 5. Special meetings of the Association shall be held upon the call of the President, or any three Members of the board, setting forth the purpose for which such special meeting is called. Special meetings shall also be called by the President within ten days after the receipt of a written request for such special meeting, signed by ten Members in good standing and stating the purpose thereof. All notices of special meetings shall state the purpose for which such meetings are called, and no business shall be transacted at such meetings except that specified in that call.

#### ARTICLE VII- OFFICERS AND BOARD OF DIRECTORS

Section 1. The Officers of the Association, each of whom must be a Licensed U.S. Customs Broker and a Regular Member, shall consist of a Chairperson, President, Vice-President, Treasurer and Secretary and shall hold Office for two years or until their respective successors are elected and qualify to take office. The President upon retiring shall become the Chairperson until replaced.

Section 2. The Board of Directors shall consist of the Officers named in Section 1 of Article VII, three Members at large and any regular Member when serving as an Area Director for the National Association. A Board Member missing three consecutive Board meetings or missing four Board meetings in a calendar year will result in the immediate removal from the Board unless extraordinary circumstances have caused the absences.

Section 3. The Board shall have general charge and control of the affairs of the Association. It shall be empowered to approve all major expenses and to employ counsel whenever necessary, in the best interest of the association. The Board shall arrange for the proper assessment, collection, safeguarding and auditing of all financial operations of the Association. For this purpose, it will develop LLUSCBA Operating Policies.

Section 4. Those individuals who have previously served as Presidents, when not serving in any other Office shall become Senior Counselors and participate in board meetings without vote. To have the title of Senior Counselor, he or she must be a Member in good standing of the Association.

Section 5. Executive session may be invoked by the president, for voting board Members only, to further discuss and vote on any issues the president deems necessary.

Voted and approved by general membership on November 29th, 2017



ARTICLE VIII -ELECTIONS

Section 1. The Officers and Directors referred to above in Article VII, except the chairperson, shall be elected prior to the annual meeting or any adjournment thereof.

Section 2. Not later than 30 days prior to the annual meeting, the nominating Committee shall file its report of nominations for the officers of the Association to the Secretary who in turn shall deliver the ballot with a proxy form to each regular member.

Section 3. Elections shall be by majority vote; eligible Members may vote by written proxy.

Section 4. A vacancy in any office or on the board may be filled for the unexpired time by majority vote of the Members the Board.

ARTICLE IX- DUTIES OF OFFICERS

Section 1. The President shall preside at all meetings of the Association and Board and shall perform the duties and exercise the authority usually pertaining to this office, including the appointment of all committees, and shall cast the deciding vote in case of a tie.

Section 2. (a) The Vice President shall act as the assistant to the president and shall, in the absence of the president, be the presiding officer at board and Membership meetings. In the event of a vacancy in the office of president, the vice-president shall succeed to the office for the unexpired term. The vice-president shall perform such other duties as may be assigned by the president.

(b) During the President's and Vice President's absence such duties shall fall upon the Chairperson.

Section 3. The Treasurer shall keep an account of all dues and assessments or other monies received and the payment of bills by supervising the Administrative Assistant's work. The Treasurer shall make a financial report, including a sources and uses of funds, at the annual meeting, and at such other meetings as the President shall request, and shall perform all other duties usually pertaining to this office.

Section 4. The Secretary shall keep minutes of all meetings, keep a record of all official transactions of the Association, supervise all details of the business of the Association, supervise the Administrative Assistant in maintaining Roster of the Members, notices of meetings, issuance of bulletins to Members and shall perform all other duties as may be required.

ARTICLE X- ASSOCIATION BUSINESS

Section 1. A majority of the number of directors authorized in the bylaws in article VII section 2 constitutes a quorum of the Board for the transaction of business.

Section 2. The presence of 20% or more of Regular Members in person or by proxy shall constitute a Quorum at any Regular Members meeting of the Association.

Section 3. If a quorum is not reached on a Regular Members meeting, the President shall terminate the meeting and recall, at his discretion, for a meeting immediately. The Quorum shall be constituted with those present.

Voted and approved by general membership on November 29th, 2017

ARTICLE XI - COMMITTEES

Section 1. The Regular Standing Committees shall be appointed by the President to act on all matters pertaining to their special functions as indicated by name and shall include, but not be limited to, the following:

Bylaws/Nominating	Festivities	Membership
Customs	Government Affairs	Other PGAS
Education	Legal	Social Media
FDA	Liaison - Mexican Brokers	Transportation

Section 2. Committee Chairs can participate in board meetings with voice but no vote. Their tenure shall be for a one year term, unless reappointed by the president.

ARTICLE XII - AWARDS

Section 1. The LLUSCBA Lifetime Centurion Award shall be conferred to a member, which in the opinion of the President and the Board of Directors has demonstrated outstanding vision, leadership and dedication during his or her affiliation with LLUSCBA. The Centurion award is meant for an individual who represents the best of our Association, someone who gives of his time and talents to forward the efforts of the Association in a manner, which we would all be proud of. This individual is also someone who defends our best interest as a spokesman of our industry, always looking for what is best for the entire industry. His or Her efforts bring a level of respect to the Association and what it stands for. This individual is not only respected within our Association, but is also respected as a leader among the people we deal with.

ARTICLE XIII - AMENDMENTS

Section 1. When not inconsistent with these bylaws, Roberts Rules of Order shall govern all meetings of the Association.

Section 2. These bylaws may be amended or revised at any regular or special meeting of the Association, upon a majority vote of the Members present or represented by written proxy, but such amendment shall not be considered unless written notice of the same shall have been submitted to all Members at least seven days prior to the vote.

ARTICLE XIV - APPLICATION OF FUNDS

Section 1. The Association shall use its funds only to accomplish its objectives and purposes and no part of said funds shall inure or be distributed to the Members. On dissolution of the Association, any funds remaining shall be distributed to one or more regularly organized and qualified charitable, educational, scientific or philanthropic organizations to be selected by the Board.

ARTICLE XV- INDEMNIFICATION

Section 1. The Association may, by resolution of the Board, provide for indemnification by the Association of any and all of its Directors or Officers or former Directors or Officers against expenses actually and necessarily incurred by them in connection with the defense of any action, suit, or proceeding, in which they or any of them have been made parties, or a party, by reason of having been Directors or Officers of the Association, except in relation to matters as which such Director or Officer or former Director or Officer shall be adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of duty and to such matters as shall be settled by agreement predicated on the existence of such liability for negligence or misconduct.

Voted and approved by general membership on November 29th, 2017



## Arturo Dominguez

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**From:** Arturo Dominguez  
**Sent:** Friday, October 4, 2019 10:13 AM  
**To:** aalarcon@sbcglobal.net  
**Subject:** FW: Nomination of LLUSCBA Directors for 2019 Elections

**From:** The LLUSCBA Inc. <emails@lluscba.org>  
**Sent:** Thursday, August 22, 2019 11:58 AM  
**To:** Arturo Dominguez <adominguez@abrokeragefirm.com>  
**Subject:** Nomination of LLUSCBA Directors for 2019 Elections



### The Laredo Licensed U.S. Customs Brokers Association, Inc.

## Update

Good morning Arturo Dominguez

According to our Bylaws, it is imperative that the nominating committee files its report of nominations to the Secretary for the election of Board of Directors for the period 2020-2021 to be held at our annual meeting on October 30, 2019. In order to do so we are asking members interested, to provide the names of those that want to run for office (must be a Licensed U.S. Customs Broker and a Regular Member). It must be in a group or slate (President, Vice President, Secretary, Treasurer and 3 Board members) as all directors shall be elected according to bylaws Article VIII, Section 1.

Please note that all 2019 Nominations are due in the LLUSCBA office by COB, Friday, August 30, 2019 to allow the nominating committee for proper review and filing within the allowed time frame (Article VIII, Section 2).

Best Regards,



**Rodolfo Delgado**  
*Nominating Committee Chairperson*

**About your Association**

Our Office Hours are  
Monday to Friday  
9:00 am to 1:00 pm and 2:30 pm to 5:00 pm

**Upcoming Events**

Association Monthly Meeting 08/28/19

You are receiving this email because you or your company is a member of the LLUSCBA. The LLUSCBA is distributing information from various sources, some of which have instructed us to limit the distribution of the information to our members only. The contents of this message are not intended for transmission to or receipt by anyone other than LLUSCBA members, unless the message clearly indicates that it may be distributed freely.



*This communication is provided by LLUSCBA for educational and informational purposes only and does not constitute the rendering of legal counsel or other professional services. Before you act on any information provided in this document, you should seek professional advice regarding its applicability to your specific circumstances.*

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If you no longer wish to receive these emails, you can [unsubscribe](#) at any time.  
1101 West Washington St. P.O. Box 600, Frisco, TX 75040  
Tel: 972-397-1400, <https://www.lluscba.org/>



## Arturo Dominguez

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**From:** Arturo Dominguez  
**Sent:** Friday, August 30, 2019 9:34 PM  
**To:** JD Gonzalez  
**Subject:** NOMINATNG CANDIDATES

### NOMINATNG CANDIDATES

To: Rodolfo Delgado – Nominating Chair

From: Arturo Dominguez

Date: August 30, 2019

Subject: Nominations of Directors for 2020-2021 Elections

For the 2020-2021 elections, all nominations and nominating petitions must be received at LLUSCBA office no later than 45 days (October 2019) before the annual meeting according to the by-laws. In the event of a contested election, the nominated candidate names shall be placed on a ballot and proxies sent to the regular members (30 days before Annual Meeting) November 2019. The results of the elections should be announced thereafter. In accordance to Article VIII below is the list of Officers and Directors to be placed on 2020-2021 ballot.

#### BOARD OF DIRECTORS NOMINATION 2020-2021

PRESIDENT – Arturo Dominguez

VICE PRESIDENT – Eduardo Lozano

TREASURER – Rafael Orduña

SECRETARY – Marina Rodriguez

BOARD MEMBER – Oscar Fernandez

BOARD MEMBER – Alonso Gonzalez

BOARD MEMBER – Annalie Miravete



## Arturo Dominguez

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**From:** Arturo Dominguez  
**Sent:** Friday, October 4, 2019 10:13 AM  
**To:** aalarcon@sbcglobal.net  
**Subject:** FW: NOMINATIONS OF DIRECTORS

**From:** Arturo Dominguez  
**Sent:** Thursday, September 19, 2019 5:12 PM  
**To:** JESUS DOMINGUEZ (lawjmd@swbell.net) <lawjmd@swbell.net>  
**Subject:** Fwd: NOMINATIONS OF DIRECTORS

Minutes no motion no second ni madres!

Arturo Dominguez

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**From:** Annalie Miravete <annalie@lluscba.org>  
**Sent:** Thursday, September 19, 2019 4:48:48 PM  
**To:** Arturo Dominguez <adominguez@abrokeragefirm.com>  
**Subject:** Fwd: NOMINATIONS OF DIRECTORS

Annalie Miravete  
LLUSCBA Treasurer  
[treas@lluscba.org](mailto:treas@lluscba.org)

Begin forwarded message:

**From:** Raul S Villarreal <pres@lluscba.org>  
**Date:** September 3, 2019 at 11:10:38 AM CDT  
**To:** JD Gonzalez <jose@jdgonzalez.com>  
**Cc:** Rodolfo Delgado <rodolfo@rodelinternational.com>, board <board@lluscba.org>  
**Subject:** RE: NOMINATIONS OF DIRECTORS

Good morning JD

In regards to your 2 items of concern, they were addressed at the last board meeting. Please see minutes of said board meeting below.

Have a Wonderful Day





Raul S Villarreal

LLUSCBA President 2018-2019

August 2019

Wednesday, August 21, 2019

9:34 AM



## THE LAREDO LICENSED U.S. CUSTOMS

1 West End Washing

Laredo, Texas 78

Tel: (956) 307-3400

<https://www.lluscba.org/>

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### BOARD MEETING AGENDA

Location: LLUSCBA Boardroom at Laredo College - Fort McIntosh Campus

1. Call to Order 9:30 am
2. Roll Call (Sign in Roster in lieu of Roll Call)

Quorum:  Yes  No (5 Board members present are required for quorum)

3. Antitrust Reminder

We need to be mindful of the fact that while we are sharing educational information, we are also competitors. Accordingly, there can be no discussion here about any cost or pricing issues.

4. Approval of Last Meeting Minutes
5. Reports
  - a. Board

- b. Committees
  - c. Discussion
    - i. GAC payments - How much has been paid over the past trips?
    - ii. Proposed to pay \$800 for trips which could amount to 45% of the total expense
      - 1. Will run numbers to see if the range can be increased from \$500 to \$800
    - iii. FDA - Bo Burge - there is a deal reached on the antidumping of tomatoes. More information to come soon.
6. Pending business
- a. Elections - Modifying bylaws to have defined rules on nominations and protocols to have a well-structured set of policies. These laws can be mirrored against the national association.
    - i. Who can run?
    - ii. Should it have a time limit? (i.e. submitting nomination 90 days prior to election)
    - 3. **Friday 8/30/2019 is the deadline to present a full slate to the board including president, VP, and board members. This was determined collectively by all attendees.**
7. New Business
- a. Notice Proposed Rule - Verification Importers - Comments before Oct 15
    - i. Cost to validate importers will be a big burden on brokers.
    - ii. 300,000 Importers and 2,000 Filers only.
    - iii. Approximate cost to validate importers = \$59
      - 1. CBP will give brokers 3 years to validate importers. After that, you will have to do it annually.
    - iv. Proposal -- Should we make a committee to review this proposed rule with Victor Gonzalez running point?
    - v. We should bring up our position on this on the GAC on behalf of Laredo



vi. 1 time shipments are an area of concern for recurring validation processes.

2. Seminars

i. ACE Reports by CBP OCT-NOV 2019

ii. Entry 102 postponed

b. CBP Meeting September 4 Issues

8. Comments and Announcements

1. Next Association Meeting - August 28, 2019

2. Next Customs Meeting - September 4, 2019

3. Texas Border Conference - September 4-6, 2019 - Galveston, TX

4. Pathways for Trade Symposium - September 10-11, 2019

5. Next Board Meeting - September 18, 2019

6. GAC - September 22-24, 2019 - Washington, DC

9. Adjournment

Created with Microsoft OneNote 2016

**From:** Raul S Villarreal <[pres@lluscba.org](mailto:pres@lluscba.org)>

**Sent:** Monday, September 2, 2019 4:56 PM

**To:** JD Gonzalez <[jose@jdgonzalez.com](mailto:jose@jdgonzalez.com)>

**Cc:** Rodolfo Delgado <[rodolfo@rodelinternational.com](mailto:rodolfo@rodelinternational.com)>; board <[board@lluscba.org](mailto:board@lluscba.org)>

**Subject:** Re: NOMINATIONS OF DIRECTORS

Thank you JD for your observations

Have a nice Labor Day

Raul S Villarreal

LLUSCBA President 2018-2019

On Sun, Sep 1, 2019 at 2:04 PM JD Gonzalez <[jose@idgonzalez.com](mailto:jose@idgonzalez.com)> wrote:

Happy Labor day weekend,

Thank You Raul for your comments, in light of the information that you have stated in your email there are a couple of items that I feel are not in agreement with our Bylaws, which I have the both the email soliciting the nominations as well as the bylaws included for reference, and these are my observations:

1. The email states according to our Bylaws Article VIII, Section 1. & Section 2 and you have set he annual meeting as being on October 30, 2019
  - a. Taking into consideration the information on the email as well as information provided on the Bylaws according to Section 2 (Not later than 30 days prior to the annual meeting, the nominating Committee shall file its report of nominations for the officers of the Association). There is a 30 day time frame, unless there was a motion brought up by the board at the last meeting, which I did not attend, to set a specific deadline as well as a vote from the board in agreement to send the email by our nominating committee. Were the Bylaw protocol's followed in order to make this a standing order, if not then that would make the email from the nominating committee an invalid request.
2. The email also states "It must be in a group or slate (President, Vice President, Secretary, Treasurer and 3 Board members)"
  - a. Taking into consideration the information on the email as well as information provided on the Bylaws according to Section 1. (The Officers and Directors referred to above in Article VII, except the chairperson, shall be elected prior to the annual meeting or any adjournment thereof.), Were there modifications to this section of the Bylaws that state "It must be in a group or slate" that was brought to the members as a motion and a vote in agreement that would amend the bylaws? that would render this another invalid request from our nominating committee.

I am not advocating for any individual, as I consider myself a neutral non biased entity, and do not want to alienate any individual, but in our last meeting Mr. Delgado stated that he needed sufficient time to review and vet the nominations, these nominations are being presented 62 days prior to our annual meeting, which makes this submission valid, as they clearly fall within the guidelines of the LLUSCBA Bylaws Section 2, and allows more than sufficient time to review and vet all the nominations.

Besides there has not been a contested election in years, and this could be the start of a trend, to encourage more participation. I do not like the division within the association and hope we can work through this without any repercussion or hard feelings, as my email is to encourage participation as well as ensure the association continues to be a respected entity with the community leaders and the CBP authorities.

This could turn out like a scene from the movie " Napoleon Dynamite" We can vote for Summer or we can vote for Pedro

Just my humble observations

***JD***

According to our Bylaws, it is imperative that the nominating committee files it's report of nominations to the Secretary for the election of Board of Directors for the period 2020-2021 to be held at our annual meeting on October 30, 2019. In order to do so we are asking members interested, to provide the names of those that want to run for office (must be a Licensed U.S. Customs Broker and a Regular Member). It must be in a group or slate (President, Vice President, Secretary, Treasurer and 3 Board members) as all directors shall be elected according to bylaws Article VIII, Section 1.

Please note that all 2019 Nominations are due in the LLUSCBA office by COB, Friday, August 30, 2019 to allow the nominating committee for proper review and filing within the allowed time frame (Article VIII, Section 2).

#### ARTICLE VII- OFFICERS AND BOARD OF DIRECTORS

Section 1. The Officers of the Association, each of whom must be a Licensed U.S. Customs Broker and a Regular Member, shall consist of a Chairperson, President, Vice-President, Treasurer and Secretary and shall hold Office for two years or until their respective successors are elected and qualify to take office. The President upon retiring shall become the Chairperson until replaced.

Section 2. The Board of Directors shall consist of the Officers named in Section 1 of Article VII, three Members at large and any regular Member when serving as an Area Director for the National Association. A Board Member missing three consecutive Board meetings or missing four Board meetings in a calendar year will result in the immediate removal from the Board unless extraordinary circumstances have caused the absences.

Section 3. The Board shall have general charge and control of the affairs of the Association. It shall be empowered to approve all major expenses and to employ counsel whenever necessary, in the best interest of the association. The Board shall arrange for the proper



assessment, collection, safeguarding and auditing of all financial operations of the Association. For this purpose, it will develop LLUSCBA Operating Policies.

Section 4. Those individuals who have previously served as Presidents, when not serving in any other Office, shall become Senior Counselors and participate in board meetings without vote. To have the title of Senior Counselor, he or she must be a Member in good standing of the Association.

Section 5. Executive session may be invoked by the president, for voting board Members only, to further discuss and vote on any issues the president deems necessary.

#### ARTICLE VIII -ELECTIONS

Section 1. The Officers and Directors referred to above in Article VII, except the chairperson, shall be elected prior to the annual meeting or any adjournment thereof.

Section 2. Not later than 30 days prior to the annual meeting, the nominating Committee shall file its report of nominations for the officers of the Association to the Secretary who in turn shall deliver the ballot with a proxy form to each regular member.

Section 3. Elections shall be by majority vote; eligible Members may vote by written proxy.

Section 4. A vacancy in any office or on the board may be filled for the unexpired time by majority vote of the Members the Board.

**From:** Raul S Villarreal <[pres@lluscba.org](mailto:pres@lluscba.org)>

**Sent:** Saturday, August 31, 2019 3:51 PM

**To:** JD Gonzalez <[jose@jdgonzalez.com](mailto:jose@jdgonzalez.com)>

**Cc:** Rodolfo Delgado <[rodolfo@rodelinternational.com](mailto:rodolfo@rodelinternational.com)>; board <[board@lluscba.org](mailto:board@lluscba.org)>

**Subject:** Re: NOMINATIONS OF DIRECTORS

Good afternoon

Mr. Delgado's email soliciting nominations clearly stated that the nominations were due at LLUSCBA office by COB Friday August 30, 2019. Prior to leaving the office, Abby advised Mr. Delgado that no other nominations were received. Mr. Delgado acknowledged and thanked her without mentioning any other nominations.

Raul S Villarreal

LLUSCBA President 2018-2019

On Sat, Aug 31, 2019 at 1:10 PM JD Gonzalez <jose@jdgonzalez.com> wrote:

I believe the board should be aware of this submission,

***JD***

## **NOMINATIONS OF DIRECTORS**

To: Rodolfo Delgado – Nominating Chair

From: Arturo Dominguez

Date: August 30, 2019

Subject: Nominations of Directors for 2020-2021 Elections

For the 2020-2021 elections, all nominations and nominating petitions must be received at LLUSCBA office no later than 45 days (October 2019) before the annual meeting according to the by-laws. In the event of a contested election, the nominated candidate names shall be placed on a ballot and proxies sent to the regular members (30 days before Annual Meeting) November 2019. The results of the elections should be announced thereafter. In accordance to Article VIII below is the list of Officers and Directors to be placed on 2020-2021 ballot.

### **BOARD OF DIRECTORS NOMINATION 2020-2021**

**PRESIDENT – Arturo Dominguez**

**VICE PRESIDENT – Eduardo Lozano**

**TREASURER – Rafael Orduña**

**SECRETARY – Marina Rodriguez**

**BOARD MEMBER – Oscar Fernandez**

**BOARD MEMBER – Alonso Gonzalez**

**BOARD MEMBER – Annalie Miravete**

Regards,

Raul S. Villarreal

LLUSCBA President 2018-2019

--

Regards,

Raul S. Villarreal

LLUSCBA President 2018-2019

--

Regards,

Raul S. Villarreal

LLUSCBA President 2018-2019



## Arturo Dominguez

---

**From:** Arturo Dominguez  
**Sent:** Sunday, September 22, 2019 8:31 AM  
**To:** Jose D Gonzalez  
**Subject:** FW: Violation of our By-Laws  
**Attachments:** Void Nominations.pdf

**From:** committee@lluscba.org <committee@lluscba.org> **On Behalf Of** Arturo Dominguez  
**Sent:** Saturday, September 21, 2019 4:36 PM  
**To:** Rodolfo Delgado <rodolfo@rodelinternational.com>  
**Cc:** Committee LLUSCBA <committee@lluscba.org>  
**Subject:** Violation of our By-Laws

**To: Rodolfo Delgado – Nominating Chair**

**From: Arturo Dominguez**

**Date: September 20, 2019**

**Subject: Violation of our By-Laws**

**It is my understanding after carefully reading Article VIII ELECTIONS Section 2. that your action in unilaterally selecting a date of August 30, 2019 at the end of business day and sending and declining to send the names of members interested in running for office not later than 30 days prior to the annual meeting on October 30, 2019 that was schedule by our President violated the by-law. The name of the nominations forwarded to Secretary should be void and invalid because of said violation. Our current by-laws without the amendment that has not been yet voted on by the membership to modify the current by-law would allow the name of members interested in running from September 30, 2019 until the date of the elections.**



**To: Rodolfo Delgado – Nominating Chair**

**From: Arturo Dominguez**

**Date: September 20, 2019**

**Subject: Violation of our By-Laws**

**It is my understanding after carefully reading Article VIII ELECTIONS Section 2. that your action in unilaterally selecting a date of August 30, 2019 at the end of business day and sending and declining to send the names of members interested in running for office not later than 30 days prior to the annual meeting on October 30, 2019 that was schedule by our President violated the bylaw. The name of the nominations forwarded to Secretary should be void and invalid because of said violation. Our current by-laws without the amendment that has not been yet voted on by the membership to modify the current by-law would allow the name of members interested in running from September 30, 2019 until the date of the elections.**

## Arturo Dominguez

---

**From:** Arturo Dominguez  
**Sent:** Friday, October 4, 2019 10:15 AM  
**To:** aalarcon@sbcglobal.net  
**Subject:** FW: Elections Ballot

**From:** The LLUSCBA Inc. <emails@lluscba.org>  
**Sent:** Friday, September 27, 2019 4:35 PM  
**To:** Arturo Dominguez <adominguez@abrokeragefirm.com>  
**Subject:** Elections Ballot



## The Laredo Licensed U.S. Customs Brokers Association, Inc. Elections

### Board of Directors 2020-2021 Elections Ballot

In accordance with our bylaws Article VIII, Section 2, as Secretary of the Association I'm delivering a ballot with proxy form to all regular members with the names of candidates for the election of board of directors for years 2020-2021 as listed in the nominating committee's report submitted by its chairperson Rodolfo Delgado.

The ballot contains the names of those proposed candidates by the nominating committee as well as space for any write-in names.

We encourage those members unable to attend our annual meeting to be held October 30, 2019 8:30 a.m. at Laredo College, De La Garza Bldg Room 101 to vote, if unable to attend please submit your **vote form via email to [admin@lluscba.org](mailto:admin@lluscba.org)** no later than Tuesday, October 29<sup>th</sup>, 2019 5:00 p.m.

Click image to download ballot:



Best Regards,

**Brenda Medina**  
Secretary  
[brenda@lluscba.org](mailto:brenda@lluscba.org)

### About your Association

Our Office Hours are  
Monday to Friday  
9:00 am to 1:00 pm and 2:30 pm to 5:00 pm

### Upcoming Events

CBP / Trade Monthly Meeting 10/02/2019

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## Arturo Dominguez

---

**From:** Arturo Dominguez  
**Sent:** Wednesday, October 2, 2019 5:15 PM  
**To:** board; Committee LLUSCBA  
**Cc:** Rodolfo Delgado  
**Subject:** I am requesting to rescind any vote

Dear President,

As I mentioned to you this past Friday, members cannot vote by email.

Then why conduct elections with proxies as proscribed on our bylaws? The elections should be given an opening date and an election date to count the ballots that were submitted. You also failed to mention who would be the election officer to count the ballots. You vote on election day, if you can NOT be present on the day of the elections, a proxy can be used according to the by-laws.

In this case several members have already voted because someone told them they could vote by mail. This was never brought to the board members to allow this type of voting nor is stated in the by-laws that this is permissible. All votes should be kept secret and a tally should be done the day of the elections. At this time, I am requesting to rescind any vote that has been sent via email and to set a date for the election of officers so members will be able to present the original (signature) proxy to Mr. Delgado to tally the votes. Please cease from unilaterally trying to change rules and favoring your candidate.

Respectfully your,  
Arturo Dominguez



## Arturo Dominguez

---

**From:** Arturo Dominguez  
**Sent:** Friday, October 4, 2019 10:16 AM  
**To:** aalarcon@sbcglobal.net  
**Subject:** FW: President's message to the membership

**From:** The LLUSCBA Inc. <pres@lluscba.org>  
**Sent:** Thursday, October 3, 2019 4:17 PM  
**To:** Arturo Dominguez <adominguez@abrokeragefirm.com>  
**Subject:** President's message to the membership



**The Laredo Licensed U.S. Customs Brokers Association,  
Inc.**

---

### President's Statement

Dear LLUSCBA Member:

Our association is stronger than ever with 128 regular members like you. The current LLUSCBA officers and board of directors work for you on an almost daily basis. It is now time to elect officers and board of directors for the 2020-2021 term.

In response to a recent allegation about an unfair nomination process for the 2020-2021 LLUSCBA officers and board of directors, I am putting forth this statement in which I explain our nominations process

#### **1. Why are elections being held in October?**

The LLUSCBA bylaws outline the process for elections. There shall be an annual meeting of the association at such time and place as the President shall designate (Article VI, Section 1). Historically, elections have been held during our association meeting for October. I, Raul Villarreal, as President, have designated October 30, 2019 as the annual meeting. Officers shall be elected prior to the annual meeting or any adjournment thereof (Article VIII, Section 1).

One allegation is that the annual meeting and election must take place in December. Respectfully, I find no merit and no support for requiring a December election.



## **2. What is the LLUSCBA nomination process?**

The LLUSCBA nomination process is outlined in our bylaws. Bylaws are the most important rules that govern our association. Bylaws can't be changed unless you, our members, get previous notice of any proposed change and a large majority is required to enact any proposed change. Bylaws are so important that they can't be suspended even by a unanimous vote. The process for nominations detailed in our bylaws cannot be amended, replaced, or circumvented.

The LLUSCBA bylaws require that the nominating committee shall file its report of nominations for the officers of the association to the Secretary. Since the members must receive the notification from the Secretary by September 30, 2019 (30 days prior to the annual meeting of October 30, 2019), the nominating committee must act sooner (Article VIII, Section 2).

The nominating committee as a matter of policy has sole discretion in the nominations process. This process and discretion end upon submitting nominations to the Secretary. After consultation with the board and committees at a monthly board meeting, the nominating committee chose to solicit nominations from all members via email. An email went out to all members requesting nominations at the LLUSCBA office by COB on August 30, 2019. Nobody challenged the wording of the email prior to the deadline.

One nomination for each position was timely received (Thursday August 29, 9:40 am in person at LLUSCBA office) and one nomination for each position was received after the deadline (Friday August 30, 9:46pm via email). Rodolfo Delgado, Nominating Committee chair, submitted nominations to the Secretary. He included only the nominations received before the deadline. Upon learning that the deadline had passed, and some nominations were untimely, the entire nominations process went under attack as a violation of the bylaws.

The allegation was not elaborated in any detail. Simply a blanket accusation of a "violation of bylaws." As President, I prepared and presented these facts to three professionals experienced in association elections and bylaws. The identities of the nominations were not disclosed as they were not relevant to the analysis. Unanimously, Ed Greenburg (Legal Counsel for National Customs Brokers and Forwarders Association of America "NCBFAA"), Amy Slavko (Nominations Chairperson for NCBFAA) and Miguel Conchas (President of the Laredo Chamber of Commerce) each concluded that the nomination process that was followed did not violate LLUSCBA Bylaws.

Our bylaws require that the Secretary deliver the ballot with a proxy form to each regular member not later than 30 days prior to the annual meeting (Article 8, Section 2). LLUSCBA Secretary Brenda Medina timely emailed the ballot with a proxy form to each regular member on September 27, 2019.

The nomination process that we followed is consistent with prior years and it complied with our bylaws. Despite the unfounded allegations of an unfair process, we must move forward with the election as scheduled.

## **3. Why does the ballot include a write-in space?**

The board previously voted to use the same format as the prior ballot from 2017. Prior LLUSCBA election ballots include a write-in option. We are currently reviewing whether the write-in option is consistent with our bylaws.

#### **4. Can the ballot with a proxy form be submitted to LLUSCBA via email?**

Our bylaws state that elections shall be by majority vote; eligible members may vote by written proxy (Article VIII, Section 3). Our bylaws do not address paper versus electronic submissions. As technology has advanced, our association has transitioned from paper or fax communications to email for just about everything (notices of meetings, electronic registration for events and seminars, and even for new member registrations). In fact, the late nominations came in via email.

Furthermore, for at least the last four elections, members have been given the option to submit their ballot with a proxy form to the association office prior to the day of the election. In the last three elections, the email soliciting votes specifically offered the option of submitting the form via email. Please see bottom of message for evidence of previous years emails.

There is an allegation that LLUSCBA cannot receive ballots early or by email. I do not believe there is any legitimate reason to prevent early voting by email.

I will leave this to each member's discretion on how to submit their vote. If you choose to submit your vote by email, please send it directly to [admin@lluscba.org](mailto:admin@lluscba.org). All ballots received by email will receive a reply confirming receipt.

You may also choose to submit your ballot in person at the LLUSCBA office no later than Tuesday 29th of October, 2019 at 5:00 pm.

Thank you for being an active member of our association. United, we are all working on common goals of education and advocacy in the customs broker industry. As the 2018-2019 LLUSCBA officers and board of directors wind down their term in office, I humbly ask that you exercise your right to vote.

I look forward to seeing each of you at our annual meeting on October 30, 2019.

Sincerely,

**Raul S. Villarreal**

LLUSCBA President 2018-2019

October 3, 2019

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Four of the last five LLUSCBA elections were held in October.

- November 29, 2017 for 2018-2019 due to Southern Border Conference being hosted in Laredo October 25-28
- October 28, 2015 for 2016-2017
- October 30, 2013 for 2014-2015
- October 26, 2011 for 2012-2013



- October 28, 2009 for 2010-2011

Evidence of previous years emails

- [2011 Election email.pdf](#)
- [2013 Election email.pdf](#)
- [2015 Election email.pdf](#)
- [2017 Election email.pdf](#)

[Statement in PDF format if you wish to download it](#)

### About your Association

At LLUSCBA, our purpose is to help organizations grow.  
That's why we're sharing this information with you.

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[Association Annual Meeting and Election 10/30/2019](#)

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## Arturo Dominguez

---

**From:** Rodolfo Delgado <rodolfo@rodelinternational.com>  
**Sent:** Thursday, October 10, 2019 1:38 PM  
**To:** Arturo Dominguez; 'Raul S Villarreal'  
**Cc:** aalarcon@sbcglobal.net  
**Subject:** RE: I am requesting to rescind any vote  
**Attachments:** President's message to the membership

Dear Arturo:

You indicate that members cannot vote by E-Mail. This type of vote has been going on for years where the association asks members to send their proxies by E-Mail since 2013 elections. Even though not on the by laws, it is not prohibited nor restricted, and just by precedence it is applicable.

Evidence of previous years emails

- [2011 Election email.pdf](#)
- [2013 Election email.pdf](#)
- [2015 Election email.pdf](#)
- [2017 Election email.pdf](#)

This was sent to all members on mail 10.03.19 which I am including as an attachment

Saludos

*Lic. Rodolfo Delgado CEO*

*MBA, CFB, CCS*

RODEL International Inc.

Licensed Customs House Brokers

Tel: (956) 727-2325 Fax: (956) 727-5546

*The Difference Between Ordinary and Extraordinary Is That Little Extra We Provide*

---

**From:** Arturo Dominguez [mailto:adominguez@abrokeragefirm.com]  
**Sent:** Thursday, October 10, 2019 12:03 AM  
**To:** Raul S Villarreal  
**Cc:** Rodolfo Delgado; aalarcon@sbcglobal.net  
**Subject:** I am requesting to rescind any vote



2<sup>nd</sup> Request

Dear President,

As I mentioned to you this past Friday, members cannot vote by email.

Then why conduct elections with proxies as proscribed on our bylaws? The elections should be given an opening date and an election date to count the ballots that were submitted. You also failed to mention who would be the election officer to count the ballots. You vote on election day, if you can NOT be present on the day of the elections, a proxy can be used according to the by-laws.

In this case several members have already voted because someone told them they could vote by mail. This was never brought to the board members to allow this type of voting nor is stated in the by-laws that this is permissible. All votes should be kept secret and a tally should be done the day of the elections. At this time, I am requesting to rescind any vote that has been sent via email and to set a date for the election of officers so members will be able to present the original (signature) proxy to Mr. Delgado to tally the votes. Please cease from unilaterally trying to change rules and favoring your candidate.

Respectfully your,  
Arturo Dominguez

## Arturo Dominguez

---

**From:** Arturo Dominguez  
**Sent:** Thursday, October 17, 2019 2:47 AM  
**To:** Rodolfo Delgado; monica@lluscba.org; Raul S Villarreal  
**Subject:** RE: Differences on coming up elections

Dear Mr. Delgado:

A reasonable way for this to be resolved is for all candidates to be included in the ballot and allow the association to elect its President. I don't see why Raul and Monica are not open to that suggestion as it is the membership that will be electing a president. It would be in the best interest of the association to maintain a level of transparency and prove once and for all that the will of the members will be met and not the will of two or three members. There is still time to call for a special meeting to include me in the ballot and/or nullify the votes that have been cast by email. We definitely need to update our bylaws as they are archaic because a lot has changed since they were created. However, we cannot unilaterally change them to the advantage of a few without them being amended by the membership. I will again implore you to nullify the email votes as they are not promulgated in our bylaws because the whole purpose of the proxy is for the member that is not going to be at the meeting when the election is held may vote by proxy. We would need to amend our bylaw to accept email vote in the future and for early voting to occur. If neither of the suggestions are implemented for this election, I will have no option but to seek legal counsel and apply for any remedy that would be for in the best interest of the association.

Respectfully yours,  
Arturo Dominguez

**From:** Rodolfo Delgado <rodolfo@rodelinternational.com>  
**Sent:** Monday, October 14, 2019 2:00 PM  
**To:** Arturo Dominguez <adominguez@abrokeragefirm.com>; monica@lluscba.org; Raul S Villarreal <pres@lluscba.org>  
**Subject:** Differences on coming up elections

Time has crept up on me and as of today I have not received any word from you three that and agreement has been reached as I requested on September 23<sup>rd</sup>. (See Below).

You have the power the resolve it if you are so inclined to do so. Each one of you, are convinced that your stand is the correct one. Whether you are right or not we are at a standoff and the association is the one that is going to end up losing.

I need to know what your position is by Wednesday Oct 16, so I can make determination as to the steps I will take as chairman of the nominating committee.

Saludos

*Lic. Rodolfo Delgado CEO*

*MBA, CFB, CCS*





RODEL International Inc.

Licensed Customs House Brokers

Tel: (956) 727-2325 Fax: (956) 727-5546

*The Difference Between Ordinary and Extraordinary Is That Little Extra We Provide*

---

**From:** Rodolfo Delgado [<mailto:rodolfo@rodelinternacional.com>]  
**Sent:** Monday, September 23, 2019 5:39 PM  
**To:** 'Raul S Villarreal'  
**Cc:** board ([board@lluscba.org](mailto:board@lluscba.org)); committee ([committee@lluscba.org](mailto:committee@lluscba.org))  
**Subject:** RE: Hiring of legal counsel

Raul:

I sincerely do not think that it is in the best interest of the Association to spend any money in attorneys to settle an internal fight, \$5000.00 US CY, especially when this could be resolved by accepting both candidates on the ballot. It is clear to me that neither, you or Monica is amenable to this idea. Then, the next best thing is to bring it up on our next association meeting, which is this Wednesday, under new business, or call for a special meeting as provided in section 5 of Article VI.

In my estimation neither You, Monica, or Arturo are thinking in the best interest of the association, because if you were, (the 3 of you with your associates, would sit and try to find a solution or a way to resolve the problem.

I have invested a much of my time and money on this association to allow any of you destroy it. Please note that is said in house only.

Please think about it

*Lic. Rodolfo Delgado CEO*

*MBA, CHB, CCS*

RODEL International Inc.

Licensed Customs House Brokers

Tel: (956) 727-2325 Fax: (956) 727-5546

*The Difference Between Ordinary and Extraordinary Is That Little Extra We Provide*

**From:** Raul S Villarreal [<mailto:pres@lluscba.org>]  
**Sent:** Monday, September 23, 2019 3:36 PM  
**To:** Board LLUSCBA  
**Cc:** Rodolfo Delgado  
**Subject:** Hiring of legal counsel

Dear board:

We need to resolve this issue about the nominations once and for all.

In the best interest of the association, we need to hire outside legal counsel to review our current bylaws, policies, emails and discussions regarding the issue of the nominations and to provide us with a written legal opinion whether the current nominations are valid. We also need to agree that legal counsel's decision is binding regardless if we agree with it personally. We need to approve up to a \$5,000.00 USD retainer. We each need to be available to comply with depositions, interviews, and requests by counsel to properly assess the events and any possible conflicts of interest of board and or committee members involved.

Can we please have a motion to proceed?

Raul S. Villarreal  
LLUSCBA President 2018-2019

--

Regards,

Raul S. Villarreal  
LLUSCBA President 2018-2019



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GUILLERMO G. ALARCON  
ALBERTO ALARCON

PHYSICAL ADDRESS:  
1302 WASHINGTON STREET  
LAREDO, TEXAS 78040  
TELEPHONE: (956) 723-5527  
FACSIMILIE: (956) 723-8168

October 24, 2019

Mr. Oscar Fernandez  
Board Member  
14215 Transportation Ave.  
Laredo, Texas 78045

Juan D. Gonzalez  
Board Member  
C.H. Robinson Worldwide, Inc.  
309 Nafta Blvd.  
Laredo, Texas 78045

Raul Villarreal  
President  
PG Customs Brokers  
118 Flecha Lane  
Laredo, Texas 78045

Brenda  
Secretary  
Amerigroup Brokerage LLC  
7330 Springfield Unit 14103  
Laredo, Texas 78045

Annalie Miravete  
Treasurer  
Intertrade Customs Service, Inc.  
505 Grand Central  
Laredo, Texas 78045

Monica Salinas  
Vice President  
Cromex U.S. Brokerage Inc.  
8404 Killam Industrial Blvd  
Laredo, Texas 78045

Jose D Gonzalez  
Board Member  
JD Gonzalez  
4506 Modern Lane  
Laredo, Texas 78041

Eduardo Lozano  
Board Member  
Eduardo E. Lozano & Co., Inc.  
8410 Milo Road  
Laredo, Texas 78045

RE: Elections of officers and board members of the Licensed U.S.  
Customs Brokers Association, Inc .

Greetings:

Our law firm has been retained by Arturo E. Dominguez in connection with the Laredo Licensed U. S. Customs Brokers Associations, Inc. election, purportedly scheduled for October 30, 2019.

On August 30, 2019, Mr. Dominguez forwarded to the nominating chair his nomination to be placed on the ballot. On September 18, 2019, he was told that his right to be on the ballot had been denied. He then requested in writing for his name to be included on the ballot. The bylaws allow for the names to be submitted 30 days before the election. Nevertheless, this request was denied despite being timely submitted. All the while, the bylaws have not been followed or have

been misinterpreted unilaterally by the present President.

For example, it is against the bylaws to allow members to vote by email. Votes submitted by email should not be counted and those members advised that they must vote at the election either in person or by proxy.

On behalf of Mr. Dominguez we demand that a new ballot be made including our client in it. If I have not received a response by October 28, 2019, we will have no alternative to file a derivative suit to enjoin the illicit election. In the lawsuit, my client will seek to recover attorney's fees and costs. As of now, Mr. Dominguez has incurred \$1,500.00 for which we also demand immediate payment.

Thank you for your immediate attention to this matter.

Sincerely,

Alberto Alarcon



## Arturo Dominguez

---

**From:** The LLUSCBA Inc. <emails@lluscba.org>  
**Sent:** Wednesday, October 30, 2019 5:06 PM  
**To:** Arturo Dominguez  
**Subject:** Election Results



## The Laredo Licensed U.S. Customs Brokers Association, Inc.

### Update

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#### Good afternoon Arturo Dominguez

Today we had our Annual Association meeting and election of officers and directors, we would like to share the results, the following members where elected:

Monica Salinas	<i>President</i>
Bo Burge	<i>VicePresident</i>
Jose (Joe) D.Martinez	<i>Treasurer</i>
Juan David Gonzalez	<i>Secretary</i>
Olga Cantu	<i>Board Member</i>
Dalia Moncivais	<i>Board Member</i>
Victor Gonzalez	<i>Board Member</i>

Thanks to everyone that voted and especially those that attended today's meeting.

Best Regards,

**Raul S. Villarreal**  
LLUSCBA President 2018-2019

---

#### About your Association

Our Office Hours are  
Monday to Friday  
9:00 am to 1:00 pm and 2:30 pm to 5:00 pm

#### Upcoming Events

CBP / Trade Monthly Meeting 11/06/19

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