

OFFICE OF THE ELECTION ADMINISTRATOR
for the
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

IN RE: HOFFA UNITY SLATE,)	Protest Decision 2000 EAD 74
)	Issued: December 29, 2000
Protestor.)	OEA Case No. PR111601NA

The Hoffa Unity Slate (the “Hoffa slate”) filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2000-2001 IBT International Union Delegate and Officer Election (“*Rules*”) against the Teamster Rank and File Education and Legal Defense Foundation (“TRF”) and Public Citizen Litigation Group (“PCLG”). The protest alleges that these entities violated their reporting and disclosure obligations under Article XI, Section 2 of the *Rules* with respect to the legal services provided to TRF by attorney Paul Alan Levy.

Election Administrator representatives Michael Nicholson and Bruce Dubinsky investigated the protest.

TRF has filed its initial and second Supplemental Forms No. 1 to the Campaign Contribution and Expenditure Report (“CCER”) with the Election Administrator as an independent committee under the *Rules*. Supplemental Form No. 1 to the CCER reports permitted contributions and associated expenditures for legal and accounting services. In its initial and second Supplemental Forms No. 1, TRF lists an in-kind contribution of \$3000.00 and \$2,000.000 respectively from Paul Alan Levy for legal services.

Levy is an attorney and an employee of PCLG in its Washington, D.C. office. The protest alleges that TRF improperly failed to list the actual donor of in-kind legal services as PCLG, in light of the fact that Levy is an employee of PCLG.

TRF concedes that it did not properly disclose the donor of Levy’s services as PCLG. It has agreed to file amended Supplemental Forms No. 1 to remedy this defect, and to list PCLG as the donor of Levy’s services. This will correct TRF’s reporting error. Accordingly, the protest as to TRF is deemed RESOLVED.

As to PCLG, there is no evidence that it is an entity required to file reporting and disclosure forms with the Election Administrator under Article XI, Section 2(b) of the *Rules*. Accordingly, the protest’s allegation of reporting and disclosure violations as to PCLG is DENIED.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within two (2) working days of receipt of this decision. The parties are reminded that, absent extraordinary circumstances, no party

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may rely upon evidence that was not presented to the Office of the Election Administrator in any such appeal. Requests for a hearing shall be made in writing, shall specify the basis for the appeal, and shall be served upon:

Kenneth Conboy
Election Appeals Master
Latham & Watkins
Suite 1000
885 Third Avenue
New York, New York 10022
Fax: 212-751-4864

Copies of the request for hearing must be served upon all other parties, as well as upon the Election Administrator for the International Brotherhood of Teamsters, 727 15th Street NW, 10th Floor, Washington, DC 20005, all within the time period prescribed above. A copy of the protest must accompany the request for hearing.

William A. Wertheimer, Jr.
William A. Wertheimer, Jr.
Election Administrator

cc: Kenneth Conboy
2000EAD74

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