

ELECTION APPEALS MASTER

IN RE:

HOFFA 2006,

Protestor.

06 Elec. App. 068 (KC)

This matter is an appeal from the Election Supervisor's decision 2006 ESD 346 issued September 1, 2006.

A hearing was held before me on September 14, 2006. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. and Steven R. Newmark, Esq. on behalf of the Election Supervisor, David J. Hoffa, Esq., Christy Bailey and Todd Thompson on behalf of Hoffa 2006 and Daniel E. Clifton, Esq. on behalf of the Leedham Slate.

The protest grows out of a supplemental advisory issued by the Election Supervisor at the request of the Leedham Campaign. It qualified as an authorized vendor for e-mail distribution of campaign literature Unions-America, a union shop and an IBT affiliate. Once approved, the Leedham Campaign contracted with it. The IBT had previously contracted with the Election Supervisor's sole designated vendor under its initial advisory, Real Magnet, a non-union shop.

The Hoffa Campaign claims that the Election Supervisor inadvertently conferred a campaign advantage upon the Leedham Campaign and wants the playing field leveled.

Counsel for the Hoffa Campaign asserted that this incident was only the latest in a series of actions by the Election Supervisor that benefited, inadvertently, the Leedham Campaign during this election cycle. He was invited to document his claims, which he did by letter dated September 18, 2006. The Election Supervisor responded to this submission by letter dated September 21, 2006.

