

ELECTION APPEALS MASTER

IN RE:

HOFFA 2006,

Protestor.

06 Elec. App. 056 (KC)

This matter is an appeal from the Election Supervisor's decision 2006 ESD 309 issued June 26, 2006.

A hearing was held before me on July 5, 2006. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. and Griff Morgan on behalf of the Election Supervisor, David Hoffa, Esq. on behalf of Hoffa 2006 and Daniel Clifton, Esq. on behalf of the Leedham Slate.

The evidence in the record irrefutably establishes that Joseph Coyne, a Los Angeles patent lawyer with Sheppard Mullin, a firm which also practices labor law and represents employers in matters involving the IBT, made a personal contribution, drawn on his own account, of \$10,000 to the campaign of his cousin, Christopher Roos, a candidate on the Leedham Slate for International Vice President at Large.

The Hoffa 2006 Campaign complains that his contribution violates Article XI, Section 1 (b)(5). Counsel for Hoffa 2006 argues that Sheppard Mullin is "an employer" and that Coyne is an "owner" of that "employer." The rule that controls, however, defines "employers" for purposes of prohibited campaign contributions as those that are parties "to a collective bargaining agreement with the Union" or which have been "the subject of an organizing campaign by the Union."

Counsel has made no showing that Sheppard Mullin or Joseph F. Coyne individually is an employer within the definition of employer in the relevant Rules provision.

Accordingly, the decision of the Election Supervisor is affirmed.

SO ORDERED:

/s/  
Kenneth Conboy  
Election Appeals Master

Dated: July 11, 2006