

ELECTION APPEALS MASTER

IN RE:

ALLEN BUNCH,

Protestor.

06 Elec. App. 067 (KC)

This matter is an appeal from the Election Supervisor's decision 2006 ESD 352 issued September 21, 2006.

A hearing was held before me on October 3, 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, Bradley T. Raymond, Esq. on behalf of the International Brotherhood of Teamsters, David J. Hoffa, Esq. on behalf of Hoffa 2006 and Barbara Harvey, Esq. on behalf of Allen Bunch.

The sole issue raised by the Election Supervisor's decision of record dated September 21, 2006 and the written submissions filed in response thereto is whether "the Election Supervisor's direction to the Hoffa Campaign that it add sourcing information and disclaimers to its website effectively averts confusion" that could "cause users to be misled to believe that the IBT was affiliated with or endorsed the Hoffa Campaign." Election Supervisor's preliminary submission dated October 3, 2006 at 1.

As noted by Messrs. Raymond and Hoffa in their submissions, we have at least partially addressed this issue previously. "The use of publications already issued by the IBT to its membership to craft campaign literature is not a violation of the Rules." Hoffa, P-792 (June 14, 1992), aff'd 96 Elec. App. 205 (June 27, 1996).

More to the point, the disclaimers here made it indisputably clear that there is nether affiliation nor endorsement with or by the IBT.

I decline to inquire further into any other issue raised de novo during the appeals hearing.

