

IN RE:

DEREK MAEDA

01 - Elec. App. – 067 (KC)

This matter is an appeal from the Election Administrator’s (the “EA”) decision 2001 EAD 307, issued April 17, 2001. The hearing was requested by Derek Maeda, the protestor and member of Teamsters Local Union 996 in Honolulu, Hawaii.

A hearing was held before me on April 27, 2001. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. for the Election Administrator’s Office; Mr. Maeda; and April Kim, on behalf of the Kahele/Kozuma Slate (the “Slate”). This office received no additional submissions.

Mr. Maeda alleged that the placement of an advertisement in the March 15, 2001 issue of the Honolulu Advertiser was a violation of the Rules because (i) its \$2,300.79 price was paid for by Mel Kahele, and therefore in excess of the \$2,000 limit on campaign contributions from a delegate candidate under Article 11 Section 12(A); and (ii) that the photo of Local Union president Mel Kahele with General President James P. Hoffa used in the ad was the property of Local Union 996 and therefore its placement in the newspaper violated the Rules. The EA rejected both claims, finding that the ad was paid for with a combination of campaign funds and a permissible \$1,000 contribution from Mr. Kahele and that the photo, taken with Mr. Kahele’s camera and film, was not the property of Local Union 996.

The factual findings of the EA are to be given substantial deference. Mr. Maeda presented no evidence at the hearing to contradict the EA’s conclusion regarding the camera’s

ownership or the amount of Mr. Kahele's contribution. Accordingly, I affirm the decision of the EA in this matter.

\_\_\_\_s/Kenneth Conboy \_\_\_\_\_

Kenneth Conboy  
Election Appeals Master

Dated: May 14, 2001