

ELECTION APPEALS MASTER

IN RE:

ASHLEY MCNEELY

01 Elec. App. 091 (KC)

This matter is an appeal from the Election Administrator's decision 2001 EAD 458 issued September 19, 2001. The appeal hearing was requested by Barbara Harvey, Esq. on behalf of Ashley McNeely.

A hearing was held before me on September 28, 2001. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq., for the Election Administrator's Office; Bradley T. Raymond, Esq. of Finkel, Whitefield, Selik, Raymond, Ferrara & Feldman on behalf of the International Brotherhood of Teamsters and Barbara Harvey, Esq. on behalf of Ashley McNeely.

The protester asserts that the General Secretary-Treasurer of the International Brotherhood of Teamsters ("IBT") sent a memorandum to convention delegates that used the phrase "in unity lies strength." This memorandum was sent on August 17, 2001, on the evening of which I issued the decision in Martinez II, 01 EAM 87. The IBT promptly agreed to send to all convention delegates a notice that the IBT does not endorse any candidate for office. On that basis, the Election Administrator wisely deemed the protest resolved.

The protester wants a) a second notice essentially saying the same thing, but with the Election Administrator's authority manifest upon its face and b)

equal space and access for the Leedham Slate, in order to say what it wishes in a mailing in response to the violation. The Election Administrator, however, presumptively knows best what remedy, if any, is necessary to level the playing field.

The Election Administrator's resolution is, accordingly, affirmed.

____s/Kenneth Conboy_____
Kenneth Conboy
Election Appeals Master

Dated: October 1, 2001