

ELECTION APPEALS MASTER

IN RE:

TOM LEEDHAM RANK AND FILE POWER
SLATE,

01 Elec. App. 086 (KC)

This matter is an appeal from the Election Administrator's decision 2001 EAD 415, issued on July 30, 2001. The appeal hearing was requested by Betty Grdina, Esq. of Yablonski, Both & Edelman, on behalf of the Leedham Slate; J. Bruce Maffeo, Esq. of Seiff Kretz & Maffeo, on behalf of Richard Leebove; Susan Boyle, Esq. of Baptiste & Wilder, P.C. on behalf of Baptiste & Wilder, P.C. and J. Douglas Korney, Esq. of Korney & Heldt on behalf of the Hoffa Slate.

A hearing was held before me on August 10, 2001. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq., for the Election Administrator's Office; Betty Grdina, Esq. on behalf of the Leedham Campaign Slate; J. Douglas Korney, Esq. on behalf of the Hoffa Unity Slate; Susan Boyle, Esq. on behalf of Baptiste & Wilder, P.C.; J. Bruce Maffeo, Esq. on behalf of Richard Leebove and Bradley T. Raymond, Esq. on behalf of the International Brotherhood of Teamsters.

This protest, filed by the Tom Leedham Rank and File Power Slate, asserted that WebGalaxy enterprise vendors had made contributions to the Hoffa Unity Slate legal and accounting fund upon an agreement and expectation that certain web portal service business

would be awarded to WebGalaxy by the IBT, and that Richard Leebove and Greg Tarpinian, paid IBT consultants, had solicited the contributions.

After an exhaustive and painstaking investigation, the Election Administrator (“EA”) concluded that there is an insufficient basis to establish the existence of a quid pro quo, or corrupt understanding between WebGalaxy, the IBT and/or the Hoffa Slate campaign. The EA did assemble an adequate evidentiary basis to support a finding that Leebove had facilitated a misuse of IBT union resources when he, as a paid consultant of the IBT, encouraged the proposal for the fundraiser sponsored by those seeking the IBT’s approval of their business initiative. The EA also found, properly, that Leebove and the law firm Baptiste & Wilder provided uncompensated services in connection with the fundraiser, which violated Article XII of the Election Rules, because of their status as employees. Reporting deficiencies were also established. A 28 day suspension of Leebove as campaign functionary of the Hoffa Slate and monetary penalties have been imposed.

The investigation, analysis, conclusions and remedial order of the EA in this matter is a model of thoughtfulness, balance and fairness. Particularly with respect to Leebove, the even-handed and intelligent assessment is beyond question or cavil. Although a number of objections have been raised on various grounds by numerous parties, none has any weight or substance.

Accordingly, the decision of the EA is in all respects affirmed.

____s/Kenneth Conboy_____
Kenneth Conboy
Election Appeals Master

Dated: August 13, 2001