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ELECTION COMMITTEE HEARING

In the Matter of:

The 2024 Election of Officers
of SEIU Local 32BJ

ELECTION COMMITTEE HEARING

DATE: Tuesday, July 23, 2024
TIME: 10:23 a.m.
BEFORE: Hearing Officer Jordan Weiss,
Chair of the Election Committee
LOCATION: 32BJ SEIU - Manhattan Office and Union
Headquarters
25 West 18th Street
New York, NY 10011
REPORTED BY: Jennifer C. Smetters
JOB NO.: 6769383

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A P P E A R A N C E S

ON BEHALF OF THE 2024 ELECTION COMMITTEE OF SEIU LOCAL
32BJ:

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A P P E A R A N C E S (Cont'd)

ALSO PRESENT:

Lori Orme, Chief of Operations for SEIU Local
32BJ (by videoconference)

Antonio Delgado, 2024 Election Committee Member
(by videoconference)

Selena McKay, 2024 Election Committee Member (by
videoconference)

Esther Alamas, 2024 Election Committee Member
(by videoconference)

Ena Softley, 2024 Election Committee Member (by
videoconference)

Metztli Hamelius, Legal Assistant, SEIU Local
32BJ (by videoconference)

Nancy I. Adler, Spanish Interpreter (by
videoconference)

Dagoberto Orrantia, Additional Spanish
Interpreter (by videoconference)

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CLOSING STATEMENT By Mr. Meginniss

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P R O C E E D I N G S

THE REPORTER: My name is Jennifer C. Smetters. I'm the reporter and notary authorized to take acknowledgements and administer oaths in New York. Today is Tuesday, July 23, 2024. And we are on the record as of 10:23 a.m.

Counsel, you may proceed.

THE HEARING OFFICER: Okay. Good morning, everyone. My name is Jordan Weiss. I'm the Chair of the Election Committee. We are here today at this hearing to ask whoever is coming in to provide evidence if they feel that their members should be deemed eligible, which were previously deemed ineligible by our committee, to provide evidence and or reasoning why they should be deemed eligible.

And today we have -- sorry. Today we have election committee members with us. I'd like them to introduce themselves, starting with Antonio to my right.

MR. DELGADO: My name is Antonio Delgado, a union member of 37 years.

MR. MEGINNISS: Antonio, how do you spell your last --

MR. DELGADO: Name? D-E-L-G-A-D-O.

MS. MCKAY: Good morning, everybody.

1 My name is Selena McKay.

2 THE REPORTER: I'm sorry, I can't hear
3 you ma'am.

4 MS. MCKAY: My name is Selena McKay.
5 I'm a member for 12 years.

6 MR. MEGINNISS: And Selena, spell your
7 name for the court reporter.

8 MS. MCKAY: Oh, my name is S-E-L-E-N-A.
9 Last name McKay, M-C-K-A-Y.

10 MR. MEGINNISS: Next.

11 MS. ADLER (FOR MS. ALAMIAS): Good
12 morning. My name is Esther Alamas, and I'm a member
13 of the union for 24 years.

14 MR. MEGINNISS: Could you please spell
15 her name?

16 MS. ADLER: She needs to spell it.

17 MR. MEGINNISS: Yeah. Yeah.

18 MS. ADLER (FOR MS. ALAMIAS): Esther,
19 E-S-T-H-E-R, Alamas, A-L-A-M-I-A-S.

20 MR. MEGINNISS: Come down here, we
21 don't have a microphone on --

22 MS. SOFTLEY: Good morning. My name is
23 Ena Softley. A member for 37 years. I'm in the
24 commercial division. E-N-A, S-O-F-T-L-E-Y.

25 THE HEARING OFFICER: Okay. So now I

1 have asked the counsel, Mr. Meginniss, to run the
2 hearing today and conduct the hearing on behalf of the
3 election committee.

4 So Mr. Meginniss?

5 MR. MEGINNISS: My name is Walter
6 Meginniss. I am the lawyer on -- election committee.
7 I'd just like to identify two other people in the room
8 right now. Katchen Locke, L-O-C-K-E, first name
9 K-A-T-C-H-E-N, is the general counsel to the Union.
10 And Elizabeth Baker is here as a representative for
11 one of the slates.

12 And I just want to follow up on
13 something Mr. Weiss said. The hearing today is
14 limited to the election committee receiving
15 explanations and evidence as to why any of the
16 candidates that the election committee preliminarily
17 found ineligible should instead be found eligible.

18 And we would ask the slates -- each of
19 the representatives of slates to address that
20 particular issue directly and not engage in other
21 issues related to the election.

22 So Ms. Baker, you are a representative
23 of the -- if you could just introduce yourself and
24 tell us what you got.

25 THE REPORTER: Representative of who?

1 I didn't -- you slid the microphone.

2 MS. BAKER: I'll clarify. My name is
3 Elizabeth A. Baker, B-A-K-E-R. And I am here
4 representing the Stand, S-T-A-N-D, Together,
5 T-O-G-E-T-H-E-R, slate.

6 And thank you, Mr. Meginniss. I am
7 here in response to the election committee report on
8 the validity of nominations dated July 19, 2024.

9 In that report there was a
10 determination -- initial determination that two
11 candidates on the Stand Together slate did not meet
12 the good standing requirements due to gaps or
13 discrepancies in their dues payment history.

14 Those two individuals are Mirna
15 Ruperto. M-I-R-N-A, second last name, R-U-P-E-R-T-O.
16 And the second member of the slate is Gueldere
17 Guerilus, G-U-E-L-D-E-R-E, last name Guerilus,
18 G-U-E-R-I-L-U-S. And the report denotes months in
19 which there was no record of dues payment. It does
20 note, as we assert, that both Ms. Ruperto and
21 Mr. Guerilus have been on dues checkoff at the
22 relevant periods of time.

23 So over the weekend, in response to the
24 report I forwarded to the election committees,
25 attention care of Ms. Hamelius, pay stub evidence for

1 both, and pay portal records for both individuals
2 showing that they were actively employed, not on
3 leaves of absence, actively employed during each of
4 these months; and that the failure to remit dues was
5 an error by their employer that falls within one of
6 the established exceptions.

7 So we have demonstrated that they were
8 active on the payroll in each of the months in
9 question that was listed in the dues report. And we
10 believe that based on this showing they should not be
11 disqualified from appearing as candidates on the
12 election ballot. Ms. Ruperto is a candidate in the
13 New York District and Mr. Guerilus in the Florida
14 District.

15 MR. MEGINNISS: Thank you, Ms. Baker.
16 I will tell you that Ms. Hamelius, H-A-M-E-L-I-U-S,
17 received your email and the documents that you
18 referred to and shared them with me. I have seen
19 them.

20 To the best of my knowledge, we have
21 not had a chance to share them with the rest of the
22 committee, but we will do so. And they're very
23 helpful. That's exactly why we hold these hearings,
24 make preliminary decisions, and ask candidates to give
25 us what they have to help us figure out eligibility

1 issues.

2 MS. BAKER: Great.

3 MR. MEGINNISS: And I -- do you have
4 anything more? I don't --

5 MS. BAKER: In the report it was noted
6 that three acceptance of nomination or willingness to
7 run forms were missing for members of the Stand
8 Together slate. We believe they were submitted but,
9 you know, perhaps didn't get logged in. And so we're
10 gathering them, and we'll resubmit them this week.

11 MR. MEGINNISS: Please do. It's real
12 important for us to get those. It's necessary in
13 order to put their names on the ballot.

14 MS. BAKER: Absolutely. You'll have
15 them this week.

16 MR. MEGINNISS: All right. I don't
17 have anything more from you Ms. Baker, but you
18 shouldn't go away. I think I want to now ask someone
19 from the dues department to come in and testify about
20 some work in dues issues. Let's go off the record a
21 moment, if we may.

22 THE REPORTER: Off the record,
23 10:31 a.m.

24 (Off the record.)

25 THE REPORTER: Back on the record,

1 10:32 a.m.

2 MR. MEGINNISS: I just want to note for
3 the members of the election committee who are here
4 today, we did get copies of pay stubs that Ms. Baker
5 referred to and we're going to get those out to the
6 committee, and we'll be able to discuss those at a
7 break, and also later in the week when we meet as a
8 full committee.

9 We also got, not evidence, but a letter
10 from Mr. McAfee. McAfee is M-C, capital A, F-E-E. If
11 you remember, Mr. McAfee's petition did not have
12 enough signatures. And I'll discuss that letter with
13 you during a break and later this week. There was no
14 evidence or argument provided, but there was a demand
15 that I'll talk to you about.

16 And let's go off the record one more
17 moment.

18 THE REPORTER: Off the record at 10:33.
19 (Off the record.)

20 THE REPORTER: 10:47 a.m., back on the
21 record.

22 Counsel, you may proceed.

23 MR. MEGINNISS: Ms. Orme, speak up
24 because we have a court reporter.

25 MS. ORME: Okay.

1 MR. MEGINNISS: And if you could
2 identify yourself and just tell us what your title is
3 and what connection you have to the dues department,
4 that'd be helpful.

5 MS. ORME: My name is Lori Orme. I am
6 the Chief of Operations for 32BJ. I oversee the dues
7 department and all of the operations regarding dues.

8 MR. MEGINNISS: And if you could spell
9 Lori and Orme for the court reporter, that would be
10 useful.

11 MS. ORME: Lori is L-O-R-I. And my
12 last name is Orme, O-R-M-E.

13 MR. MEGINNISS: Okay. I know that you
14 are aware that the election committee issued a
15 preliminary report finding a number of intending
16 candidates to be ineligible because of their dues
17 histories or because the dues department wasn't able
18 to find them.

19 And what I'd like to do is go through
20 that list with you now to ask you what you have found
21 with respect to the work histories and leave status,
22 if any, of those individuals, or if there's any other
23 information about them that would shed some light that
24 would --

25 Oh, for the interpreters, okay. Yeah.

1 That would shed some light on any
2 reasons why their dues may not have been paid in the
3 given months. That would be useful too. So I'd like
4 to start with Mirna Ruperto, which we know something
5 about because Ms. Baker has offered us some evidence.

6 But our records showed that she had
7 made no payments of -- or no payments for dues had
8 been made in her name for October '23, November '23,
9 December '23 and January '24. Do you know whether
10 Ms. Ruperto was on checkoff during that period of
11 time? Do you know whether she was working during that
12 time? Do you know whether she was on leave during
13 that time?

14 MS. ORME: I looked at the files, and
15 her records indicate that the employer identified she
16 was working during that time. So she was on a roster
17 in our system. We sent invoicing and bills for her
18 during that period of time and she had a check off
19 card on file.

20 MR. MEGINNISS: Do you know -- do you
21 have any information in your records as to whether she
22 had taken a leave during that time?

23 MS. ORME: I do not have any
24 information about a leave for that period of time.

25 MR. MEGINNISS: All right. Then I'd

1 like you to turn to Gueldere Guerilus. This person,
2 the committee had his information from this dues
3 department that no dues were received in her name for
4 May, June, July, August, September, and October of
5 2023. Do you know what her history during that period
6 of time was and whether she was on leave during that
7 time?

8 MS. ORME: Our records show that he was
9 working --

10 MR. MEGINNISS: He. Excuse me.

11 MS. ORME: I -- I have him as a he.
12 That he was working vacation relief during that period
13 of time and was on checkoff. And it looked like the
14 employer kept moving him on accounts.

15 MR. MEGINNISS: Does moving on accounts
16 mean that he moves from one location to another?

17 MS. ORME: Correct.

18 MR. MEGINNISS: And vacation relief, I
19 assume that happens because he's filling in for
20 someone on vacation?

21 MS. ORME: That is correct.

22 MR. MEGINNISS: And does the employer
23 provide a separate payroll record to the department
24 for each location?

25 MS. ORME: Yes.

1 MR. MEGINNISS: Okay. Do you have any
2 indication that he was on leave during any part of
3 that time?

4 MS. ORME: I don't have any indication
5 of a leave during that period of time.

6 MR. MEGINNISS: I'd like you to turn to
7 an employee by the name of Emperatriz Hurtado.
8 E-M-P-E-R-A-T-R-I-Z, last name H-U-R-T-A-D-O. I
9 believe that is a she -- was -- but I'm not
10 sure -- was Member Hurtado.

11 The committee has evidence from the
12 dues department that it did not receive dues for
13 Member Hurtado for September, October, and November of
14 '23. Do the records of the dues department show
15 whether Member Hurtado was working during that time or
16 on leave during that time?

17 MS. ORME: Our records indicate that
18 she was on leave from September through November of
19 2023.

20 MR. MEGINNISS: Okay. Do the records
21 show that Hurtado, Member Hurtado, upon return from
22 leave made any payment for October 2023 dues?

23 MS. ORME: No.

24 MR. MEGINNISS: Okay. I'd like to go
25 to Marcos Guiracocha. Marcos is M-A-C-R-O-S [sic].

1 Guiracocha is G-U-I-R-A-C-O-C-H-A. And the committee
2 has a report from the dues department that no dues
3 payments were made for him for the months of July,
4 August, September, October, and November of 2022. Do
5 the records of the dues department show what
6 Mr. Guiracocha employment status was during those
7 months?

8 MS. ORME: He was considered a vacation
9 replacement. Not considered, excuse me, he was
10 identified as a vacation replacement for those months.

11 MR. MEGINNISS: So he was working as a
12 vacation replacement in those months?

13 MS. ORME: Correct.

14 MR. MEGINNISS: Similar to --

15 MS. ORME: The other --

16 MR. MEGINNISS: Guerilus?

17 MS. ORME: Yes.

18 MR. MEGINNISS: And do the records show
19 that he was on leave for any of those months?

20 MS. ORME: No.

21 MR. MEGINNISS: And do the records show
22 that he was on checkoff during those months?

23 MS. ORME: Yes.

24 MR. MEGINNISS: Okay. Let's turn into
25 Maria Rodriguez. The records of the union that have

1 been given to the committees show that no payments
2 were made for Ms. Rodriguez for the month of July,
3 August, and September of 2022.

4 Do records of the dues department show
5 whether Ms. Rodriguez was working during those months?

6 MS. ORME: Our records indicate that
7 she was on leave from May of '22 through September of
8 '22.

9 MR. MEGINNISS: May of -- May through
10 September?

11 MS. ORME: May through September.

12 MR. MEGINNISS: And upon return to work
13 in September, did Ms. Rodriguez, do the record show
14 whether any -- she made any payments for missing
15 months July of '22 and August of '22?

16 MS. ORME: No.

17 MR. MEGINNISS: Meaning no --

18 MS. ORME: No payments were made.

19 MR. MEGINNISS: Okay. That's -- okay.

20 And then Carlos Cavallero -- Cavallero.

21 C-A-V-A-L-L-E-R-O is the last name. The dues
22 information provided to the committee was that no
23 payments were made on behalf of Mr. Cavallero for
24 July, August, September, October, November,
25 December --- and December of 2022 and for January and

1 February of 2023.

2 Do the records of the dues department
3 show whether Mr. Cavallero was on a leave during that
4 period of time?

5 MS. ORME: Yes.

6 MR. MEGINNISS: He was on a leave?

7 MS. ORME: He was on a leave during
8 that period of time.

9 MR. MEGINNISS: And do you know what
10 the months of the leave were that are in the records
11 of the --

12 MS. ORME: Our records show February --
13 the employer reported February 7th of '22 through
14 February 6th of '23.

15 MR. MEGINNISS: Now, Mr. Cavallero
16 resumed paying dues again presumably in March of '23
17 and April of 23?

18 MS. ORME: Yes.

19 MR. MEGINNISS: Do the records of the
20 union show whether Mr. Cavallero made any payments for
21 the dues for the months and the periods -- period when
22 he was taking a leave, upon his return from a leave?

23 MS. ORME: No, there were no payments
24 made upon his return --

25 MR. MEGINNISS: Okay.

1 MS. ORME: -- for those periods that
2 were missed.

3 MR. MEGINNISS: Okay. Now I'd like to
4 go back to one more complicated case, and that's the
5 case of Lucia Morales. The Union has -- the election
6 committee has been provided with evidence from the
7 dues department that Ms. Morales became not on
8 checkoff but became a direct dues payer sometime in
9 July of 2022. Is that right?

10 MS. ORME: I'm sorry; say that question
11 again?

12 MR. MEGINNISS: Sorry. The Union
13 has -- the election committee has received a report
14 from the dues department that Ms. Morales became a
15 direct payer of dues, not a checkoff payer of dues,
16 sometime in July of '22 and continued in the status of
17 a direct payer from June -- from 2022 to the present.
18 Is that right?

19 MS. ORME: That is correct.

20 MR. MEGINNISS: Okay. Now the -- I
21 just want to confirm the information that the Union --
22 that the election committee has received. The
23 election committee has, from the dues department, a
24 report that Ms. Morales paid her September, October,
25 and November of 2022 -- the dues for those months on

1 December 7th of 2022, and not in the months in which
2 they were supposed to be paid. Is that right?

3 MS. ORME: That is correct.

4 MR. MEGINNISS: And it also shows that
5 she paid her dues for the months of January, February,
6 and March of '23 on April 4th of 2023, rather than the
7 months in which they were supposed to be paid. Is
8 that right?

9 MS. ORME: That's correct.

10 MR. MEGINNISS: Okay. And then the
11 Union also -- I mean the election committee has also
12 received evidence that although she was a direct hand
13 payer, the Union has not received any dues from her
14 for the months of May 2023 all the way to the present.
15 Nearly a year and two months.

16 And can you confirm that no dues
17 payments have been made on her behalf from May 2023 to
18 the present?

19 MS. ORME: There are no payments posted
20 in the system, but she did attempt to make a payment.

21 MR. MEGINNISS: And when did that
22 occur?

23 MS. ORME: In January of '24, I don't
24 have the exact date, she provided a check to the dues
25 department to pay for the months of May of '23 through

1 October of '23. That check was posted in the system
2 as payment, but the bank subsequently bounced the
3 check for insufficient funds.

4 So we then reversed those payments from
5 her dues record and sent her a letter indicating that
6 the check had been bounced for insufficient funds; to
7 please contact the Union to resubmit or remake
8 payment.

9 MR. MEGINNISS: Did you --

10 MS. ORME: With no correspondence from
11 her in response to that letter, and we have not had
12 any payments made since.

13 MR. MEGINNISS: And that was a payment
14 that would've carried her through October of '23?

15 MS. ORME: October of '23.

16 MR. MEGINNISS: Did she make any
17 attempt to pay any of the dues owing after October of
18 '23?

19 MS. ORME: Not according to our
20 records.

21 MR. MEGINNISS: Okay. All right. We
22 have also asked you to provide dues histories for
23 several people. And our understanding from you is
24 that you were not able to locate those people in the
25 Union's records. And I just want to go through those.

1 I know you have been doing additional work to try to
2 find people, and if you -- I'm going to ask you to
3 elaborate on that, but let's take them one at a time.

4 Charles Turner.

5 MS. ORME: We were provided with the
6 name Charles Turner and no additional identifying
7 information. No social security, last four digits, no
8 date of birth, no work location. So initially there
9 was no identification. We did a further search to see
10 if the name showed up in the system at all.

11 And I was able to identify that there
12 are four Charles Turner's in our V3 dues system.
13 They're all in inactive status, meaning that
14 the -- there's no payment history for them; they are
15 inactive workers. They were terminated from their
16 job, or we just have no information whatsoever.

17 MR. MEGINNISS: Okay. Lemont Baker,
18 L-E-M-O-N-T, B-A-K-E-R.

19 MS. ORME: So the first round of trying
20 to review Lemont Baker with no name showed up in the
21 system with an L-E-M-O-N-T spelling. I then took
22 another look in the system and sort -- tried to find a
23 name close to Lamont and I was able to identify three
24 individuals with a spelling of L-A-M-O-N-T Baker.

25 MR. MEGINNISS: Was any one of those

1 working in the New York District?

2 MS. ORME: There was one individual who
3 was active in the New York District, and he is
4 not -- did not have full dues payments.

5 MR. MEGINNISS: What were the dues
6 payments -- what did the dues payments show for --

7 MS. ORME: He is actively working for
8 the two-year period. He is on checkoff with a
9 checkoff card, and we are missing dues for the month
10 of August of '22.

11 MR. MEGINNISS: Is that the only months
12 you're missing for --

13 MS. ORME: That is correct.

14 MR. MEGINNISS: Okay. I would like you
15 after this to -- maybe you already have shot me an
16 email that -- okay.

17 MS. ORME: I sent you an update to the
18 schedule.

19 MR. MEGINNISS: I haven't seen that
20 yet. We'll distribute that to the committee.

21 Jaret, J-A-R-E-T, Perez, P-E-R-E-Z.

22 MS. ORME: I did -- we did not find
23 Jaret, J-A-R-E-T, Perez in the V3 system. We were,
24 again, when we expanded the parameters, able to find
25 two -- three permutations of the name. We looked

1 under Janet, J-A-N-E-T, and we found one inactive
2 record. We looked under Janeth --

3 MR. MEGINNISS: -- inactive, do you
4 know how --

5 MS. ORME: I'm sorry, inactive meaning
6 that was terminated in the -- there was a termination
7 date of 2005 in the system. No information after
8 that.

9 MR. MEGINNISS: 2005?

10 MS. ORME: 2005.

11 MR. MEGINNISS: Okay. Sorry.

12 MS. ORME: There was then an individual
13 with the name of Janeth, J-A-N-E-T-H, Perez. That is
14 an active record for a person in Lowell,
15 Massachusetts. But no payment history and no dues
16 history for that individual.

17 MR. MEGINNISS: And no indication that
18 the person is working in New York City?

19 MS. ORME: That is correct. There was
20 then a -- there was then -- I then found a last
21 individual, Janette Perez, J-A-N-E-T-T-E, Perez. That
22 record is inactive with no information. No work site,
23 no history of work, no dues payments at all.

24 MR. MEGINNISS: During the relevant
25 period?

1 MS. ORME: During any period. There's
2 just no information in the system. It's just a name
3 and address in the system.

4 MR. MEGINNISS: Understood. That's it?

5 MS. ORME: That's it.

6 MR. MEGINNISS: Alicia Delgado,
7 A-L-I-C-I-A, D-E-L-G-A-D-O.

8 MS. ORME: So Alicia Delgado
9 has -- there are multiple records in the system for
10 this name, one of which is in active status and is in
11 New York, currently working as security -- under
12 security. And dues were paid for the 24-month period
13 with the exception of August of '22. And this person
14 is on checkoff.

15 MR. MEGINNISS: So missing only the
16 August '22 payment?

17 MS. ORME: Correct.

18 MR. MEGINNISS: And the others? Any of
19 the others in New York?

20 MS. ORME: There is another active
21 record, but the name is spelled differently. So
22 instead of A-L-I-C-I-A, which the first record that I
23 just referenced is in the name of, this name is under
24 A-L-I-S-H-A Delgado, also a New York member. Was
25 hired a new hire of -- starting in December of '22, so

1 would not have 24 full months of payments.

2 MR. MEGINNISS: Got it.

3 MS. ORME: But from December of '22
4 through current, she is -- that person's record is
5 current in dues.

6 MR. MEGINNISS: Okay. Okay. And
7 Rafael, R-A-F-A-E-L, Polo, P-O-L-O.

8 MS. ORME: There is no Rafael Polo in
9 V3 -- in our dues system.

10 MR. MEGINNISS: Okay.

11 MS. ORME: I did, then, expand the
12 parameters and found a Ramon Polo, R-A-M-O-N. And
13 there were two inactive records. Both were New
14 York -- New York histories. One record had absolutely
15 no work history attached to it at all. The second was
16 a person that was terminated in 2008.

17 MR. MEGINNISS: Thank you. I think
18 that is all the questions that I have for you. Thank
19 you, Ms. Orme. We appreciate it. And the information
20 that you provided by those work histories, if they
21 are -- if you've already sent that to Metztle and me
22 by email, fine. But if not, please do so we can
23 circulate it with the committee.

24 MS. ORME: Okay.

25 MR. MEGINNISS: Thanks very much.

1 MS. ORME: Thank you. Have a great
2 day.

3 MR. MEGINNISS: Go off the record.

4 THE REPORTER: Off the record at
5 11:07 a.m.

6 (Off the record.)

7 THE REPORTER: 11:30 a.m., back on the
8 record.

9 Counsel, you may proceed.

10 MR. MEGINNISS: So I just want to make
11 one quick closing statement for the record. We had
12 notified all of the slates, Mr. McAfee and the Members
13 for a Better Union slate, of the hearing today and
14 requested that they come and present any evidence or
15 arguments that might support any claim that candidates
16 found ineligible should be found eligible. They have
17 not appeared.

18 It's 11:30 and we are going to close
19 the record at this point there. It's an inconvenience
20 for everyone to have to sit and wait, particularly
21 since we haven't gotten any communication from them to
22 say that they might attend at sometime after the ten
23 o'clock noticed commencement time or asking that we
24 remain available after that time.

25 So we are done for the day unless

1 members of the committee have any questions or
2 comments they need to make.

3 THE HEARING OFFICER: Okay. The
4 meeting is officially adjourned and closed.

5 THE REPORTER: Thank you. It is
6 11:31 a.m.

7 (Whereupon, at 11:31 a.m., the
8 proceeding was concluded.)
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CERTIFICATE OF DEPOSITION OFFICER

I, JENNIFER C. SMETTERS, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



JENNIFER C. SMETTERS
Notary Public in and for the
State of New York

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CERTIFICATE OF TRANSCRIBER

I, MICHAEL GUILMAIN, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



MICHAEL GUILMAIN

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