

OFFICE OF THE ELECTION SUPERVISOR
for the INTERNATIONAL BROTHERHOOD OF TEAMSTERS
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Richard W. Mark
Election Supervisor

September 8, 2016

By email to hoffadav@hotmail.com

David J. Hoffa
For Hoffa-Hall 2016
1750 K Street NW, Suite 350
Washington, DC 20036

RE: Protest No. P-357-083116-AT (Hoffa-Hall 2016) - AMENDED

Dear Mr. Hoffa:

We have received the election protest you filed under the Rules for the 2015-2016 IBT International Union Delegate and Officer Election (“*Rules*”). A copy of your protest is enclosed.

We have assigned your protest the number indicated above. Please use this number on all communications with us concerning this protest.

We have assigned your protest to Election Supervisor representative Paul Dever for investigation. Our investigator’s contact information is set forth at the end of this letter.

As required by the *Rules*, we are providing a copy of the protest to each person or entity that appears to be a subject of the protest. These persons and entities are listed at the end of this letter.

The *Rules* require that protests be investigated and decided promptly. Therefore, we request that all parties (including you, the persons or entities that are the subject of the protest, and all other interested parties) immediately provide our investigator with all information relevant to the allegation(s) contained in the protest, including the names and contact information of all witnesses and persons with information concerning the allegations in the protest, and all relevant documents.

All parties are required to cooperate fully with the Office of the Election Supervisor in the investigation of this matter. Absent extraordinary circumstances, no party may rely on evidence not provided by the party to the Office of the Election Supervisor in any appeal of the Election Supervisor’s determination of the protest.

Very truly yours,

Richard W. Mark
Election Supervisor

Election Supervisor Representative

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September 6, 2016

VIA EMAIL: ElectionSupervisor@ibtvote.org

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Office of the Election Supervisor for the
International Brotherhood of Teamsters
1050 17th Street NW, Suite 375
Washington, DC 20036

**RE: Amended protest by the Hoffa Campaign against Dana Costello, Local 623
(P-357).**

Dear Mr. Mark:

On behalf of the Hoffa-Hall 2016 Campaign ("Hoffa Campaign"), I amend the protest previously filed against Dana Costello, docketed by your office as P-357, to add the violation of surveillance, prohibited by the Rules.

As in the original protest, Costello traveled to DC with the intent to surveil Ken Hall and others to intimidate them for engaging in protected campaign activity – in fact, participating in a debate as proscribed by the Rules, organized and run by the Office of the Election Supervisor, and paid for by the IBT. Instead of engaging the candidates properly, Costello instead used either his phone camera or another recording device to follow Hall and others around. This had an intimidating effect and is improper under the Rules and past protests.

Costello's acts are hardly sudden, spontaneous or unplanned – in fact, he traveled to DC just to surveil and intimidate and harass, and even posted the video online:
<https://www.youtube.com/watch?v=jbiYaHCrTWO>

We request that, in line with past surveillance protest decisions, you enjoin Costello from similar behavior for the balance of the election.

We will be submitting a position statement separately.

Sincerely,

David J. Hoffa