

# 2014 Election Supervisory Board

In Res Benjamin R. Tillis

February 27, 2014

Secretary Nicholas Andrew Molina delivered the official decision of the Board:

In the matter of Benjamin R. Tillis, candidate for University Co-op Board of Directors during the 2014 campaign season, heard on one count of tampering with other candidates campaign materials.

Whereas the Student Government Election Code Chapter IV Subchapter A Section 4.11 reads:

*Section 4.11 ESB Hearing Procedure. The Election Supervisory Board shall determine the format for the hearing but must require that both the complaining and responding parties appear physically before the Election Supervisory Board to discuss the issues through a complaint, answer, rebuttal, and rejoinder format, when applicable.*

*(a) The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To effectuate this purpose, the following rules should prevail at all hearings:*

*(v) The complaining party shall bear the burden of proof*

Upon determining the evidence provided was objectively inconclusive, the board unanimously agrees on the following two points:

1. The burden of proof clause was not met because the complaining party could not offer any conclusive evidence that Benjamin R. Tillis had indeed removed posters from around the Red McCombs School of Business.
2. The Red McCombs School of Business did not communicate effectively with the plaintiffs nor the defendant regarding the correct flyer restrictions inside of the building.

Therefore, it is the official opinion of the 2014 Election Supervisory Board to dismiss the case brought up against Benjamin R. Tillis, on the basis that the complaining party could not provide substantial proof/evidence as mentioned in the ESB Hearing Procedure clause, and the two arguments noted above.

Ryan T. Lutz, Chair

Arjun Rawal, Vice Chair

Nicholas Andrew Molina, Secretary

Truc Nguyen, Chair Emeritus

Robert Toto, Member

Ryan Wallace, Member

Sharla Chamberlain, Member

Preston Covington, Member

Mallory Foutch, Member