IN THE

UNIVERSITY ELECTIONS COMMISSION

No. UEC-2016-W-008
No. UEC-2016-W-009
No. UEC-2016-W-011
No. UEC-2016-W-012
No. UEC-2016-W-013
No. UEC-2016-W-015

JACOB PEARLMAN, in his official capacity as Student
General Counsel, Complainant

v.

DAIVEN CHAWAN,
HANNAH GOOSEN,
RYAN HUFFNAGLE,
RAMON MARTINEZ,
CHRISTOPHER McCLENDON, and

ANTHONY QUAIL, Respondents

[March 11, 2016]

Appearances: JACOB PEARLMAN and NICK LOUKIDES appeared before the Commission on behalf of the Complainant. Respondents failed to respond or appear.
Opinion of the Commission

PER CURIAM.

On Monday, March 7, 2016, Jacob Pearlman, in his official capacity as Student General Counsel, with the assistance of Nicholas Loukides, the Assistant Student General Counsel, filed a complaint with this Commission alleging that the above-captioned Respondents failed to attend a mandatory candidates’ meeting on the same date. After being properly notified of both the deadline to file a response and the date and time of the hearing held on this matter, the Respondents did not reply and did not appear for hearing. Mr. Pearlman and Mr. Loukides presented competent evidence demonstrating that the respondents were not present at the meeting.

Pursuant to Rule 5.04 of the UEC Rules of Practice and Procedure, the Commission FINDS that the “facts, evidence, and arguments” in these matters are “substantially similar in nature,” and ORDERS them consolidated for joint disposition.

The Commission further FINDS that the Complainants have proven, beyond any reasonable doubt, that the Respondents failed to attend the mandatory candidates’ meeting held on March 7, 2016 in violation of § (B)(7)(e)(iv) of the Election Code.
Finally, the Commission FINDS that (1) there were no mitigating circumstances justifying a downward departure from the Code’s guideline range of 1-2 demerits, and (2) that the Respondents’ complete failure to respond to the complaint against them or notify anyone of the reason they failed to attend the meeting justifies the assessment of the full 2 demerits authorized by law.

We therefore find the Respondents, DAIVEN CHAWAN, HANNAH GOOSEN, RYAN HUFFNAGLE, RAMON MARTINEZ, CHRISTOPHER MCCLENDON, and ANTHONY QUAIL, to be GUILTY of a violation of § B(7)(e)(iv) of the Election Code.

It is therefore ORDERED that two (2) demerits be assessed against each of the Respondents, DAIVEN CHAWAN, HANNAH GOOSEN, RYAN HUFFNAGLE, RAMON MARTINEZ, CHRISTOPHER MCCLENDON, and ANTHONY QUAIL, and that the total weighted votes for each Respondent be reduced by six (6) percent accordingly. Respondents’ demerits totaling less than five, they all remain eligible for election.