

STATE OF NEW YORK
NEW YORK STATE BOARD OF ELECTIONS

In the Matter of:

Commissioners of Elections in the City of New York,

Complainant

v.

Determination
HAVA Complaint
No. 08-02

DOUGLAS A. KELLNER, JAMES A. WALSH,
EVELYN J. AQUILA and GREGORY D. PETERSON

The Commissioners of the New York State Board of Elections,

Respondents.

The requested relief of the Complaint, that the State Board immediately refer this Complaint to the alternative dispute resolution agency pursuant to Election Law §3-105(8), has no support in law and would contravene both the statute and 9 N.Y.C.R.R. §§6216.2(c)(3) and 6216.3(a)(1), and the instant Complaint must therefore be dismissed.

Approved Unanimously, November 6, 2008.