

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW

42 Broadway - 6th floor  
Commissioners' Hearing Room  
New York, NY 10004

June 4, 2021

3:00 p.m. - 3:07 p.m.

June 4, 2021

**PRESENT:**

Commissioner Michael Michel

Commissioner Rodney L. Pepe-Souvenir

Hemalee Patel, General Counsel

Raphael Savino, Deputy General Counsel

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2 (The meeting commenced at 3:01 p.m.)

3 MR. RAPHAEL SAVINO: Good afternoon, we  
4 are here on June 4, 2021 to conduct a  
5 Commissioners' Cover Sheet Review. We have the  
6 pleasure of joining us Commissioner Michel and  
7 Commissioner Pepe-Souvenir and I suppose without  
8 further ado, we will begin with the four matters  
9 we have to present.

10 MS. HEMALEE PATEL: Commissioners, we're  
11 going to start with Yu Lin, okay, and as we sent  
12 all this to you before, commissioners, you will  
13 see that this was written up, this is a cure,  
14 this was written up by the team for various  
15 issues. The first is that to the amended cover  
16 sheet, the NCN, neither the NCN or the prior  
17 cover sheet has been attached to the attempted  
18 cure, which is one of our rules. The second issue  
19 is that the name of the independent body on the  
20 attempted cure does not match the petition. If  
21 you look at the cure it's Lin4BKLYN and on the  
22 petition, it says I select the name Yu Lin as the  
23 name of the independent body, okay.

24 So that's one, that's two, and the third

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2 thing is that there's no certification language  
3 at the bottom that we require on our amended  
4 cover sheets which says I certify I'm authorized  
5 to file this amended cover sheet, however,  
6 commissioners, I will point out that this in fact  
7 person is the candidate, so of course they're  
8 authorized. But the team did write it up and I  
9 did want to point it out to you.

10 COMMISSIONER RODNEY L. PEPE-SOUVENIR:

11 Okay.

12 MS. PATEL: But commissioners, you have  
13 to rule whether or not this is a valid cure based  
14 on the three things that have been written up by  
15 the team.

16 MR. SAVINO: And obviously, you can rule  
17 one is a defect and another --

18 MS. PATEL: Right. And another is --

19 MR. SAVINO: -- of the three is a cure.  
20 But she, she put the emblem of her independent  
21 body as the --

22 MS. PATEL: As the, yeah.

23 MR. SAVINO: -- name of the independent  
24 body on her cover sheet.

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2 COMMISSIONER MICHAEL MICHEL: So, I'm  
3 looking at it and it's not a valid cure.

4 COMMISSIONER PEPE-SOUVENIR: Right.

5 MS. PATEL: Commissioners, do you want  
6 to -- for which one? Well you want to do it one  
7 by one for the first, for the first item, which  
8 is there's no copy of the NCN or the prior cover  
9 sheet attached to the cure.

10 COMMISSIONER PEPE-SOUVENIR: Right.

11 MS. PATEL: Is that a defect?

12 COMMISSIONER MICHEL: That's correct.

13 COMMISSIONER PEPE-SOUVENIR: That's a  
14 defect.

15 COMMISSIONER MICHEL: That's a defect,  
16 yes.

17 MS. PATEL: Okay. And number two, the  
18 name of the independent body on the attempted  
19 cure is, does not match the petition, which is --

20 COMMISSIONER MICHEL: That's  
21 [unintelligible] [00:03:57].

22 MS. PATEL: Sorry, commissioner, say  
23 again.

24 COMMISSIONER MICHEL: Right, that's not

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2 a cure.

3 MS. PATEL: Not a cure, okay. And number  
4 three, it fails to have the certification  
5 language, with the understanding that she's a  
6 candidate.

7 COMMISSIONER PEPE-SOUVENIR: That's a  
8 cure.

9 MS. PATEL: Okay.

10 COMMISSIONER MICHEL: That's --

11 MS. PATEL: That is a cure, okay.

12 MR. SAVINO: So overall, I'm sorry,  
13 overall, we'll stamp it as an invalid cure.

14 MS. PATEL: Invalid cure, yes.

15 MR. SAVINO: And that'll obviously be in  
16 our records, your findings with respect to that  
17 one issue, and with your permission, we'll  
18 initial, I'll initial in the appropriate places  
19 on the defect sheet and put your initials and  
20 also initial it as well.

21 COMMISSIONER PEPE-SOUVENIR: Thank you,  
22 yes.

23 COMMISSIONER MICHEL: Right.

24 MS. PATEL: Commissioners, we're moving

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2 on to Fatima Baryab. You will recall, you'll see  
3 from the documents sent to you, the original  
4 cover sheet had a misprint where it said it was  
5 Whiney Avenue, which was different from the  
6 petition that was submitted. The petition says  
7 Whitney Avenue. And this, commissioners, the  
8 cover sheet now says Whitney Avenue.

9 MR. SAVINO: Our recommendation is it's  
10 a valid cure.

11 MS. PATEL: We recommend it to be a  
12 valid cure.

13 COMMISSIONER MICHEL: Okay.

14 COMMISSIONER PEPE-SOUVENIR: I would  
15 accept that.

16 COMMISSIONER MICHEL: Yes.

17 COMMISSIONER PEPE-SOUVENIR: Really,  
18 it's just a matter of that T missing.

19 MS. PATEL: Mm-hmm.

20 MR. SAVINO: Right, right, right.

21 COMMISSIONER PEPE-SOUVENIR: And  
22 corrected.

23 MS. PATEL: And corrected.

24 COMMISSIONER PEPE-SOUVENIR: Yeah, yeah.

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2 MS. PATEL: Okay. Commissioners, with  
3 your permission, we'll mark this as a valid cure  
4 and put your initials on there. We'll stamp it as  
5 a valid cure. Okay. We're now up to Michael  
6 Lewin, commissioners you will see that the  
7 amended cover sheet, the team wrote this up as it  
8 says amended at the bottom. I certify that I'm  
9 authorized to file this amended cover sheet, but  
10 it does not say it at the top. But it does say  
11 amended, and our rules, I want to point out, C3,  
12 an amended cover sheet must state on its first  
13 page that it is an amended cover sheet. So, it  
14 does say that, although it doesn't say it at the  
15 top.

16 COMMISSIONER MICHEL: Right. I -- that's  
17 a --

18 COMMISSIONER PEPE-SOUVENIR: Does the  
19 rule say it has to say it at the top? I'm so  
20 sorry.

21 MS. PATEL: They do not.

22 COMMISSIONER PEPE-SOUVENIR: Okay.

23 MS. PATEL: Just on the first page, they  
24 do not.



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2 COMMISSIONER MICHEL: Okay.

3 COMMISSIONER PEPE-SOUVENIR: And it is  
4 listed on the first page?

5 MS. PATEL: It is.

6 COMMISSIONER PEPE-SOUVENIR: This is an  
7 amended cover sheet?

8 MS. PATEL: It says it's an amended  
9 cover sheet with the certification.

10 COMMISSIONER PEPE-SOUVENIR: Okay. Okay.

11 COMMISSIONER MICHEL: This is  
12 Commissioner Michel, it's a valid cure.

13 MS. PATEL: Okay. Thank you,  
14 commissioner. Commissioner Pepe-Souvenir?

15 COMMISSIONER PEPE-SOUVENIR: Yes, I  
16 agree, it's a valid cure.

17 MS. PATEL: Thank you, commissioners,  
18 we'll mark this as a valid cure. And last, but  
19 not least, same issue with this cover sheet, it  
20 says amended on the first page, but it does not  
21 say it at the top, exact same issue as the prior  
22 one.

23 COMMISSIONER MICHEL: It's the same  
24 issue, right?

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2 MS. PATEL: Same issue, it says amended  
3 on the first page, as we require. It doesn't say  
4 it at the top. So --

5 COMMISSIONER MICHEL: It's a valid cure.

6 COMMISSIONER PEPE-SOUVENIR: It's a  
7 valid cure.

8 MS. PATEL: Okay. Sure. So,  
9 commissioners, that's all the matters we have on  
10 for today. We thank you for your time and help.

11 COMMISSIONER MICHEL: Thank you, and  
12 thank your staff.

13 COMMISSIONER PEPE-SOUVENIR: Thank you.

14 MR. SAVINO: A motion to adjourn?

15 MS. PATEL: And a motion to adjourn,  
16 commissioners.

17 COMMISSIONER MICHEL: Yes, yes.

18 COMMISSIONER PEPE-SOUVENIR: Second.

19 COMMISSIONER MICHEL: Yes.

20 MR. SAVINO: It's unanimous.

21 MS. PATEL: Thank you so much. Have a  
22 good weekend.

23 COMMISSIONER MICHEL: Thank you, enjoy  
24 the weekend and thank --

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COMMISSIONER PEPE-SOUVENIR: Have a good one.

COMMISSIONER MICHEL: -- everybody for their hard work.

COMMISSIONER PEPE-SOUVENIR: Yes.

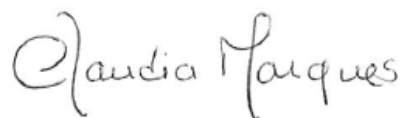
MS. PATEL: Thank you, commissioner, take care.

(The meeting concluded at 3:07 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on June 4, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: December 17, 2021

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