

Tzvi Hersh Filler V. Esther Morand

Complaint Made: May 22nd, 2020

Decision Made: May 25th, 2020

- Respondent:
  - Executive Esther Morand
- Complainant:
  - Tzvi Hersh Filler
- Interested Parties
  - Christopher Kalafitidis
  - Mitchell Schechter
  - Patrick Quinn
- Judicial Board
  - Unanimous Decision
    - Shai Navi
    - Shaina Willison
    - Guila Cohen
    - Jack Alarie
    - Emily Zunti

## **Summary of Facts**

Previously the Judicial Board had received a complaint from Christopher Kalafitidis regarding actions against himself perpetrated by Esther Morand.

The Judicial Board made a decision requiring Esther Morand to submit a formal apology. The board received an additional complaint sent by Tzvi Hersh Filler pertaining to a Conflict of Interest between the Respondent, Christopher Kalifitidis and Patrick Quinn.

Furthermore, the complaint outlines dissatisfaction with the official apology letter sent by the Respondent, Esther Morand.

## **Judicial Board Decision**

By a unanimous vote, the Judicial Board members find that the Respondent, Esther Morand, is in Conflict of Interest with Christopher Kalafitidis due to the previous altercations between the parties. However, we do not find a conflict with Executive Patrick Quinn.

*4.1 A conflict of interest exists where a Student Union Representative's interests conflict with their duty to act in the best interests of the Union, thereby creating a risk or a perceived risk that the Student Union Representative's decision making will be influenced by their potential benefit rather than the best interest of the Student Union.*

*These interests can be direct personal interests or include those of family, friends, organisations or businesses that the Representative is associated with.*

*A conflict of interest also exists where a Student Union Representative's duty to the Student Union conflicts with their duty to another organisation or committee*

*3.4. Conflict of Interest: Councillors, **executives**, members of the Judicial Board, employees of the CSU, as well as the chair and Minute Keeper of Council are deemed ineligible.*

Whereas a Conflict of Interest arises due to the fact Christopher Kalafitidis made a previous complaint pertaining to issues with Esther Morand. The final decision saw that the Respondent was in breach of the Concordia Student Unions Code of Conduct.

Due to the Judicial Boards' previous decision, we find that the Respondent is in Conflict of Interest with Christopher Kalafitidis, and thus cannot vote on the Executive receiving a bonus or the amount of said bonus. **However, the Judicial Board does not find that a conflict exists for Executive Patrick Quinn.** Our decision is based upon the fact that there are no past complaint decisions made between the parties.

Furthermore, after careful review of the apology letter sent by Respondent Esther Morand, the Judicial Board finds it to be unsatisfactory. We thus request a new satisfactory apology letter be drafted and sent to the Council of Representatives, with the Judicial Board cc'd. Prior to sending the letter, the Judicial Board would like to receive a copy for approval.