

Councillor Ali respectfully submits the following as his response to the application by the Speaker.

1. Councillor Ali continues to maintain that he is a victim of bad circumstances. It is clearly evident that the intention of Councillor Ali's intention was to never breach bylaw. On March 17th, Councillor Ali contacted the CRO at the time "Lucas Marques" and asked (**refer to Exhibit A**). This was the first instance of Councillor Ali completing basic due diligence. In this correspondence, the CRO replied in the affirmative that I can run and stated he will give more information during the candidates meeting. Councillor Ali maintains that the CRO never provided any additional information regarding eligibility in the candidates meeting.

On March 17th, Councillor Ali submitted his nomination package in which he submitted his conditional offer letter in which it clearly stated that the term for acceptance was "Fall 2022". Councillor Ali also submitted his transcript alongside the nomination package.

In fact when Councillor Ali saw Students raise questions about his eligibility. He referred his concerns to the Elections Office to investigate and the former Chief Returning Officer in his capacity ruled that Councillor Ali had "fulfilled all election eligibility requirements in accordance with Bylaw 100 and 2300".

2. On March 24th, Art Students democratically elected Haruun Ali to serve on Students' Council and General Faculties Council representing the Faculty of Arts. Councillor Ali maintains that his eligibility to run for Council was verified by the Chief Returning Officer on three separate occasions.
3. Councillor Ali maintains that according to the academic calendar that it is now irrelevant if Haruun was in Open Studies during Summer Term as the term ended on August 10th and final exams actions ended on August 12th. Therefore the next academic term is Fall 2022 in which I have provided my BearTracks registration confirming my enrolment in the Faculty of Arts.
4. Councillor Ali believes that the DIE Board has already set somewhat of a precedent in regards to an issue similar to this on August 9th, 2022. In this DIE Boarding ruling, the panel (imo) recognized the spirit and intent of the Bylaw in question. In Councillor Ali's opinion, the intent of Bylaw 100 Section 3(2) is clear demonstrated by Bylaw 100 Section 3(1) in which it reads "All members of Students' Council expect for the Speaker and the General Manager of the Students' Union are required to be members of the Students' Union."

Councillor Ali maintains that the longstanding interpretation of this is in regards to Fall and Winter terms as several Councillors are currently not registered in courses and as such aren't currently paying Student Union dues. In Bylaw 100 Section 1(p) it reads, ""Students' Union Member" means any undergraduate student who is registered in a

faculty and has paid their Students' Union fees." Councillor Ali maintains that it is clearly evident though that the spirit of Bylaw 100 Section 3(1) is in terms of Fall and Winter Semester. As such, Councillor Ali respectfully submits that the DIE Board should uphold this interpretation and recommend to Students' Council to amend Bylaw 100 to be more clear.

5. Councillor Ali maintains that the Speaker didn't follow proper procedure in obtaining the email evidence regarding my eligibility. The CRO had no right to obtain my data from the Faculty of Arts. The proper procedure in this circumstance would have been to loop in IT, the GM, and President Monterio to obtain my data under the Information Sharing Agreement. The Speaker is currently in the process of properly obtaining Council's eligibility however has hit some roadblocks.
6. Councillor Ali maintains that the Speaker hasn't proven beyond a reasonable doubt that Councillor Ali is or isn't in the Faculty of Arts. The standard of proof lies with the applicant and an email sent by an unknown source from a shared email isn't enough to proceed. This is clearly evident by the fact that the Speaker continues to attempt to properly obtain Council's eligibility.

In conclusion, Councillor Ali respectfully requests the following from the DIE Board.

1. On August 9th, Students' Council in a vote by 11-8-9 voted to send this to the DIE Board however several Councillors were denied an opportunity to do a motion to reconsider even if they abstained. This presents an issue as even though their vote was as if they voted in favour of the motion therefore being on the winning side, they were incapable of moving to have the motion reconsidered. Due to this, Councillor Ali has filed a DIE Board case against the ruling of speaker and respectfully submits that it is crucial to make a determination on that before making any determination on my case that was made on the basis of this motion
2. On August 10th, Councillor Ali filed a separate DIE Board ruling as to the powers of the DIE Board. This is another crucial case that could have a bearing on the decision making of the DIE Board. As such, Councillor Ali respectfully submits that it is also crucial for the DIE Board to make a determination on this before scheduling a hearing to hear this issue.

***Note — Attachments will be provided at the hearing date due to technical difficulties.**