

Selby, Matthew (REG)

From: Selby, Matthew (REG)
Sent: Tuesday, August 20, 2024 1:49 PM
To: Larry Marso
Cc: Services, Campaign (REG)
Subject: Challenge to Official Arguments
Attachments: Marso Challenge_Redacted.pdf

Good Afternoon,

The Department has received the attached challenge. While the Department will not challenge specific biographical information, the Director has determined that the references to John Dennis and the Briones Society meet the requirements for written consent on behalf of John Dennis and the Briones Society. Please provide written consent from these organizations or individuals. If written consent is not provided, the Department will strike the organizations and individuals. This will apply to all Official Arguments.

Best,

Matthew Selby, Campaign Services Manager & Custodian of Records
San Francisco Department of Elections
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102
(415) 554-4375
www.sfelections.org



Help determine the future of our City, State, and Country! [Register to vote](#) and cast your ballot in the November 5, 2024 election!

Selby, Matthew (REG)

From: Nicholas Berg [REDACTED]
Sent: Saturday, August 17, 2024 1:57 PM
To: Services, Campaign (REG); Doe, Publications (REG)
Subject: Challenge to Official Opponent Arguments -- Larry Marso

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Department of Elections,

I am a San Francisco resident and voter. Per the Ballot Argument Guide, we are currently in the Public Examination Period for official arguments.

I am writing to formally challenge the official ballot arguments submitted by Larry Marso for all of the following:

- Prop C - Opponent Argument
- Prop E - Opponent Argument
- Prop G - Opponent Argument
- Prop M - Opponent Argument
- Prop N - Opponent Argument

According to the San Francisco Municipal Elections Code (SFMEC) §530(d), authors of ballot arguments may include identifying information such as their title, occupation, or organizational affiliation. However, there is language in Mr. Marso's arguments that exceeds these permissible limits and includes his detailed biography. This serves as self-promotion rather than simple identification of the author (i.e. title, occupation, or organizational affiliation). See example below.

Vote NO on Proposition C.

Larry Marso

Mr. Marso is a technology executive, M&A advisor and attorney. A staunch advocate for fiscal responsibility, he authored a ballot measure to regulate San Francisco navigation/linkage centers, has fought corruption and fraud in our political parties and nonprofits, and as a member and former executive of the local Republican Party committee, has offered principled opposition to John Dennis and the "progressive Republican" Briones Society.

Stop the Big Fraud on San Francisco voters! visit: <https://bigfraud.com>

I believe Mr. Marso's "ballot arguments" provide excessive information about his background, accomplishments, and political positions, which is outside the scope of the respective ballot measures and beyond what is allowed for identifying purposes. The inclusion of his detailed biography and political stances consumes 74 words of the allowable 300 words intended for an official argument about the measures before voters. Including Mr. Marso's bio seems designed to promote his personal brand rather than provide a clear, concise identification as required by the code.

I respectfully request that the Department of Elections review his arguments for compliance with SFMEC §530(d) and take appropriate action to ensure that the argument adheres to the established guidelines.

Thank you for your attention to this matter. I look forward to your response.

Nicholas Berg



Selby, Matthew (REG)

From: Larry Marso <lmarso@gmail.com>
Sent: Wednesday, August 21, 2024 8:27 AM
To: Selby, Matthew (REG)
Cc: Services, Campaign (REG)
Subject: Re: Challenge to Official Arguments
Attachments: image003.png

again I insist this act of censorship be explicit. you may replace "John Dennis" and "Briones Society" with [censored], but you do not have my permission to make any other change to my language.

in November 2020, you allowed then supervisor Haney to claim that I and Richie Greenberg were supporters of Trump, to frame our political identity.

now, you deny me the right to portray important facts of my political identity that I am a opponent of John Dennis and Briones.

by this logic, ***Haney was suggesting Trump was opposed to proposition B, and the proposition opposed by Mr Greenberg, and should have been required to provide a consent.***

we objected in writing. you denied our objections.

this disparate treatment, favoritism to a seated supervisor, in the use of The extraordinary power of censorship is a gross misuse of your office, which I wholeheartedly condemn.

The language claims that as a member and former executive of the committee I have offered principled opposition to these two parties. I do not claim suggest that they have taken to position on the measure, any more so than Haney did of Donald Trump!

what a disgusting outcome.

On Wed, Aug 21, 2024, 8:16 AM Selby, Matthew (REG) <matthew.selby@sfgov.org> wrote:

Good Morning,

The Director has received and reviewed your correspondence.

Per the Director, the text indicates that John Dennis and the Briones Society oppose the views expressed in the argument which is prohibited under SFMEC 530(e) and requires written consent to be printed in the VIP. Without written consent, the text must be struck from the arguments.

SFMEC section 530(e)

MEC 530 (e) Consent Required. A ballot argument which includes in its text the name of an individual or entity, other than a co-author of the argument, which is represented as being for or against a measure, or which is represented as supporting, opposing, or endorsing the views expressed in the argument, shall not be accepted unless the argument is accompanied by a statement of consent signed by such individual or entity. The consent of an entity shall be signed by an officer or other duly authorized representative.

Best,

Matthew Selby, Campaign Services Manager & Custodian of Records
San Francisco Department of Elections

[1 Dr. Carlton B. Goodlett Place](#)

City Hall, Room 48

San Francisco, CA 94102

(415) 554-4375

www.sfelections.org



Help determine the future of our City, State, and Country! [Register to vote](#) and cast your ballot in the November 5, 2024 election!

From: Larry Marso <lmарso@gmail.com>
Sent: Tuesday, August 20, 2024 5:06 PM
To: Selby, Matthew (REG) <matthew.selby@sfgov.org>
Cc: Services, Campaign (REG) <campaign.services@sfgov.org>
Subject: Re: Challenge to Official Arguments

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Gentlemen:

I've received a couple of additional notes.

Richie Greenberg too filed a formal complaint in August 2020, also denied. The Department of Elections allowed language by former supervisor Haney suggesting Greenberg was a supporter of Trump.

The logic in today's letter from Matthew dictates that the Department of Elections should have required Mr Haney to obtain two *affirmation of support consents* **from Donald Trump** in order to mention him while framing whom his ballot measures' opponents politically support or oppose -- a suggestion so unintelligible and bizarre it would not have occurred to me to ask for it in 2020. I don't believe Greenberg asked for this either.

Retain the language. Any other outcome means that Mr Haney was granted special treatment.

This case is clearly distinguished from a matter that arose in ballot arguments in March of this year.

I included the language "I'm not a spokesperson for John Dennis" at the suggestion of the vice chair of communications of the Republican party Central Committee. Mr. Howard Epstein has long insisted that any delegate of the party faced expulsion unless such a disclaimer is included in communications by any delegate with the press or the public, of it mentioned the SFGOP. The way Mr Epstein spoke about it, it seemed to apply also to Briones, which was founded by John Dennis' hand picked political and financial leadership team for the party.

I suppose one could argue the March language denied John Dennis the opportunity to claim that, indeed, I **was** speaking on his behalf in opposing a ballot measure. but that's a stretch ...

Nothing of the kind is suggested in the language before us today, either way in terms of supporting or opposing across 5 ballot measures. The question of a formal consent affirming support for any measure is a non-sequitor and should be moot.

Thank you for your consideration.

Larry Marso

On Tue, Aug 20, 2024, 2:46 PM Larry Marso <lmарso@gmail.com> wrote:

To Mr. Selby and Director Artzn:

With this action, the Department of Elections reverses an important precedent, one in which I was personally involved.

The Department allowed Matt Haney to define me as a Trump supporter in his rebuttal to official ballot argument against November 2020's Proposition B, which created a Department of Sanitation in the City of San Francisco.

On August 28, 2020, I filed a formal objection with the Department of Elections, delivered to Mr. Selby and Director Arntz, demanding that this association of me with Donald Trump be removed. The Department declined. (Please let me know if your records are incomplete in this matter.) I note, also, that Mr. Haney did the same to ballot argument author Richie Greenberg in a separate rebuttal in the same election.

If then-Supervisor Haney was permitted by the Department to associate a ballot argument author as a supporter of then-President Trump in his rebuttal, why does the Department now proclaim that I cannot identify myself as a political opponent of John Dennis and the Briones Society?

I assume the Department granted then-Supervisor Haney the right to provide arguably important context to the voters, as a factor in assessing the validity of my arguments. Among the substantiation I offer voters to treat my arguments as credible, I have the right to disassociate myself from political figures that I, and many other voters, view as divisive in San Francisco, as I own my membership in the local county Republican committee with which they are closely associated in the minds of voters. Just as Mr. Haney sought to associate me with an arguably divisive political figure to attack my credibility.

If the Department of Elections insists upon this precedent-breaking act of censorship, it will deprive voters of insight into my identity as a San Francisco political activist, and in particular the work I have done to promote ethics and legal compliance in our political parties and non-profits. The San Francisco Republican community is small, and individual activists are defined significantly by their stances with regard to other political actors and organizations. It's important context for assessing my arguments.

The language you intend to censor in no manner suggests that either John Dennis or the Briones Society support my opinion. The Department's demand for affirmation of support in a formal consent is not only illogical, it's ridiculous.

Be consistent with precedent. Allow the language. Former Supervisor Haney deserved no more deference in 2020 than any San Francisco voter or activist deserves in 2024.

At the least, if you go forward with this act of censorship, I insist that it be explicit. Retain my phrasing and substitute "[censored]" for the words "John Dennis" and "Briones Society".

With Kind Regards,

Larry Marso