

Court Case 122-4

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SUMMARY KEYWORDS

mott, senate, senator, brett, sga, rules, question, meeting, chief justice, plaintiff, brendan, senators, appointment, defendant, minutes, executive board, yield, email, statements, evidence

SPEAKERS

Justice Aliyah Boyle, Chief Justice Crenshaw, Justice Selina Rollins, Brett Fornatoro, Senator Crenshaw, Ian Carbo, Advisor Gitlin, Brendan Mott

 00:00

 Chief Justice Crenshaw 00:03

We will begin the case by, I will essentially list out the schedule for today's hearing and then we will proceed from there. While I'll read each petition and the evidence provided. We will begin by hearing of action, call to order, the rules review, and then the Chief Justice or Presiding Justice (in absence of the Chief Justice) shall review the rules. Absolutely no commentary or questions shall come from the gallery. The Chief Justice or Presiding Justice (in absence of Chief Justice) may eject anyone who violates the decorum of a hearing, other, or other official convening of the Court. Each Justice shall have the opportunity to question any party or witness at any time during the proceeding. The time limits of the Plaintiff Statements, Plaintiff Closing Statement, Defendants Statement and Defendant Closing Statement, may be extended or shortened at the discretion of the Chief justice or the Presiding Justice. In page five of eight the absence of the Chief Justice, the interested party statements time limit may not be altered in any manner. Litigants may object to the proceedings at any point in which they believe the rules have been violated. Upon objection a court may call a sidebar conference and rule on set objection. Only the Chief Justice or Presiding Justice (in absence of Chief Justice) may call a sidebar conference. Objections shall be either sustained or overruled by Chief Justice, or Presiding Justice. Reading of action; The Chief Justice or Presiding Justice (in absence of Chief Justice) shall read the action then we will motion for continuance (which is optional). Any litigant may make a motion for continuance at this time, however, said motion must be written in form, (see form c-003) and specifically state the reasons a continuance has been requested. A majority vote of Justices present shall be necessary to grant a continuance. The date for the continuance shall be decided by the Court. Plaintiff statements; each Plaintiff will get 15 minute time limit. Defendants Statements; each Defendant will get 15 minute time limit. Interested Party statements will get five minutes time limit. A recess is optional, and then we will have Plaintiff Closing Statement; which is five minutes time limit. Defendant Closing Statement; five minute time limit. Plaintiff Rebuttal; three minute time limit. And questioning by Court; Justices may direct questions to any party. The Chief Justice or Presiding Justice (in absence of the Chief

Justice) may close the questioning period at his or her discretion. Next Action, Adjournment; at this point, should there be any other objections or actions at the docket, the Court will return to step c Supra. Upon hearing all matters on the docket the Court will adjourn. Execution Session; a closed Executive Session will be held among those Justices present at the hearing and an SGA advisor to render opinions in each action heard. That is the full run through of today's agenda for the hearing. I will now begin to read the Petition for full Court hearing is Brendan Mott and Brett Fornatoro present?

B

Brett Fornatoro 03:32

Yes, sir.

B

Brendan Mott 03:34

Yes, Your Honor.

C

Chief Justice Crenshaw 03:35

Okay. Plaintiff Brett Fornatoro, Plaintiff student ID number 2616394 Defendant Brendan Mott. Complaint; include all important information ie facts, dates, times, witnesses etc. I will now begin to read the petition. At the UNO SGA meeting held on September 14, 2022, a seated Senator made a dishonest comment about Brett Fornatoro when rising in opposition to his nomination. The comments made by Senator Brendan Mott can be verified as untrue with emails exchanged between SGA Governance Committee members including Senator Mott himself. Senator Mott, in his comments of opposition stated, and I quote, "The example I'm going to give you is that I served as the President Pro Tempore and we had the responsibility to modify the SGA Senate rules and to look at the things we weren't doing anymore and things like that. And he took it upon himself to undermine our committee and submit it, submit his own that we didn't completely agree with in the end. And he pushed - he was trying to push the Executive Board to sign it, even though it was very drastic changes that we were not ready for. And then he also purposely would use our previous rules in ways to try to show how bad they were." Senator Mott is describing a scenario in which Brett Fornatoro was forcing others to accept his changes to the rules and procedures. Also, in this scenario Bret Fornatoro is described as having use deceptive tactics to achieve his outcomes. However, in an email exchange, dated at the time of the incident described, March 25, 2022, at 3:02pm, advisor Dr. Joy Ballard stated, and I quote, "Hi, Brett, thank you for working on these! I believe there are some good changes in here that will be helpful for the Senate. To update the R&P you do need to draft a procedural amendment that specifically states each change. I have attached an old one from years past so that you can see how it needs to be formatted before a Senate vote! Let me know if y'all have questions and I hope you all have a great weekend! Joy." This contradicts the comments Senator Mott made in opposition to Brett Fornatoro nomination by clearly suggesting an agreement around the updates made to the Rules and Procedures. Further in its exchange, at 3:05pm. On March 25, then Senate President Pro-Tempore Mott stated, and I quote, "Hello, Joy. It's Brendan. We were told by the executive board the Senate does not need to vote on it, and it will go straight to the president per the Constitution. 1.18.6 Alteration to the Legislative Department Rules and Procedures must be submitted to the Executive branch for approval. 1.18.6.1 Approval will require the signature of the President. Failure of receiving this

signature would result in an appeal process through the Judicial Department. Please advise, Best Brendan." Here, Senator Mott is further contradicting the comments made in opposition to Brett Fornatoro nomination. Senator Mott himself was the one who wanted to use the executive board to bypass a Senate vote. Not only did Senator Mott attempt to do this himself, but President Lemelle had made the whole Senate aware of this option being available. In this same email exchange at 3:32pm, she stated and I quote "Hello all, I would like to make it clear that the executive board did inform the Senate, that per the Constitution the amendments would be signed by the President. I fully agree that if you feel you want to vote on it, you should. The executive board also fully supports, we simply explained what it says per the Constitution. Keep us posted! Best, Amber Lemelle." Senator Mott's use of dishonesty to prevent the nomination of a student to the SGA. Senate is evident. Allegedly. Specific Violation(s) Alleged. Violations found within the Senate Rules and Procedures include: 3.12.2. All officers, staff, and Senators are expected to demonstrate respect for the rights and opinions of other members of the SGA Senate and any non-members present at the meeting. 3.13.4.3 Knowingly misrepresenting any individual's intentions to the Senate or committee. 3.13.6.3 Lying or knowingly misrepresenting the truth while acting in capacity of their Senate position. 3.13.6.3.3 Knowingly misrepresenting the actions or intentions of the Senate and/or student body. 3.13.6.3.4 A blatant disregard of the SGA governing documents. Violations found within the SGA constitution include: 7.1.1. Willfully overstepping the Constitutional bounds/constraints. 7.1.2 Dereliction of duty, the persistent poor performance of their duty, or the malicious abuse of their authority. Summary of Supporting Evidence. This is evidence A, which was an email that was sent on Friday March 25, 2022 at 3:02pm to Joy Ballard. Evidence Example two was sent on Friday March 25, 2022 At 3:05pm, the email from Senator Mott. Then we have another piece of evidence, evidence C, which is a continuation of the conversation that was had on Friday March 25, 2022 at 3:32pm, from the SGA President to Brett Fornatoro. Then we have Remedy Sought By Plaintiff: Brendan Mott shall be removed from office for the slandering of a student on public record. Affirmation: I, Brett Fornatoro do hereby swear that the information contained above is true and correct to the best of my knowledge. And then we also have Okay, that is the completion of the petition by the Plaintiff. I will now read the petition and response by the Defendant. Case number 122-4. Defendant Brendan Mott. Student ID number 2560279 Plaintiff Brett Fornatoro. Okay, Rebuttal Specific Violation(s)/Alleged: It is being alleged that I, Senator Brendan Mott, am lying under oath to prevent Brett Fornatoro appointment to the Senate. While his emails may seem to prove that. He is excluding details of what occurred during committee meeting, and conversations I personally had with the executive board after submitting a change to the Senate rules. Summary of Supporting Evidence; I am willing to call upon both other former governance committee members and the form of VPLA to attest to this. We had a long period of argument and never formally voted to send them. At the end of the day, I made an executive decision to show them to the executive board, but made it known to former VPLA Katie Goldstein, that I was not in agreement with these rules. My one on one meeting with committee members can also confirm that they were also not. Also per the Constitution, that complaint about my email itself is retroactive and cannot be used. Remedies Sought By Defendant; drop the sanction against me. Affirmation; I, Brendan Mott, do hereby swear that the information contained above is true and correct to the best of my knowledge. It has been signed and dated. Verify that. Okay, I have read through both petitions and now we will move on to we will move on to hearing both the Defendant and the Plaintiff. Todd, can you remind me who goes first again?

A

Advisor Gitlin 13:22

Yes, it is the Plaintiff Statement first.

C

Chief Justice Crenshaw 13:26

Then Plaintiff Statement; Bret Fornatoro, you will get 15 minutes I believe you will get 15 minutes, and in this time, you will, no one else will be able to talk. No one else will be able to make a statement this is up to you, Senator Fornatoro. And you can also choose to yield your time if you don't have anything else to say you don't have to use the whole 15 minutes. Thank you. And I will now mute myself. Brett Fornatoro, you are now available to go. At any time you can state when you're ready so the 15 minutes can start.

B

Brett Fornatoro 14:05

I'm ready to begin. Well, first of all, good afternoon. Thank you for having this hearing. The root cause for my pursuit of this hearing was an event that occurred in the fall of the 2022-2023 school year. I was up for an appointment to the SGA Senate. Following my opening remarks when I was removed from the room for discussion. Senator Mott had taken this opportunity to make false and personal attacks on my name and reputation while on public record. Found within the the meeting minutes of September 14 2022. Senator Mott said, and I quote, "he took it upon himself to undermine our committee and submit his own that we didn't completely agree with in the end. And he pushed, he was trying to push the executive board to sign it. Even though it was very drastic changes that we were not ready for." In these comments, Senator Mott is clearly suggesting that I was trying to pass unpopular rule changes. However, in an email exchange between advisors, executives and the Governance Committee would suggest the exact opposite of what Senator Mott had claimed in his statements of opposition. In this email thread dated on March 25, Dr. Joy Ballard had stated that there are some good changes in here that will be helpful for the Senate. And she even thanked me for working on them. So to me, this doesn't suggest that there was opposition to them. Dr. Ballard was giving me the way forward and how to pursue these further. Further, when Senator Mott rose in opposition to my appointment, he insinuated that lousy tactics were put in place by trying to quote "undermine our committee." In the same email thread at 3:05. Senator mott himself said, "Hello, Joy, it's Brendan. We were told by the executive board that the Senate does not need to vote on it, and it will go straight to the President per the Constitution." So Senator Mott, himself was finding alternatives to the Senate vote. And then he blamed it on me while he was on public record. Ultimately, Senator Mott was successful in his efforts. His words were used as guidance by Senate, and my appointment was ultimately rejected. And having done this, Senator Mott has violated five rules and procedures and two constitutional boundaries, which the Chief Justice had read earlier. I yield my time.

C

Chief Justice Crenshaw 16:41

Are you sure you want to yield your time? Just confirming?

B

Brett Fornatoro 16:47

Yes.

C**Chief Justice Crenshaw 16:48**

Okay. Brett Fornatoro has yielded his time, we will now move on to hearing the Defendant's statement. You get a 15 minute time limit and you are able to yield your time you don't have to use the full 15 minutes. Whenever you're ready. Senator Mott, you can begin.

B**Brendan Mott 17:09**

Brendon Mott, current graduate Senator at Large, so first when I found out about this my question at first was, Why am I here because us technically these the person in question did get on the Senate anyway because of because of elections and I almost feel this is retaliation. But regardless of feeling I'm going to respond to the to the charges against me. So Governance Committee last year when I took over, because I did become the Pro-Tempore halfway through the year we had a committee formed before then, we had a lot of disagreement on these rule changes and I did the meetings weren't recorded. They're executive sessions. So I don't have any way of actually like getting a recording or showing exactly everything that went on. But we've had, our meetings took like hours of times or even longer, we even had to invite the the SGA vice president of time, Angelo Charles, to come help out and mediate because some of our discussions were very difficult with the rules. Eventually, I was just basically done arguing and I know I shouldn't have done that, like as a committee head, I should have just, I should have put my foot down a little bit more and just expressed my disagreement and how the committee was acting, but I didn't. So ultimately, I did allow stuff to go through that I did not fully agree with. I do admit that that probably was not the best idea at the time. Unfortunately, I don't have any any like record at this time to show that occurred. That is, is what occurred in my opinion. Also the circumventing of the rules when it comes to me emailing Dr. Joy Ballard about the about the possibility of of just reaching out to the President having to sign it. I was personally told this by the President at the time, Amber Lamelle, also told to the Senate before this even went up to to our committee to even go through so that this wasn't me trying to undermine the rules or anything. That was me just trying to understand okay, what is the proper process? Because I was not aware and Joy was saying one thing and the Executive Board was saying another thing. I was trying to get accurate information was simply what I was trying to do right there. And then last, I just think that um, when somebody gets on anyway and they're just trying to seek this remedy, as I said, I feel like it's this is retaliatory, this isn't really meant to bring any better to the student body and I really wish I would've known this was going to be an open session before because I would have invited some other students to speak on my behalf but unfortunately, I did not get granted that luxury so I do not have anything else to say.

C**Chief Justice Crenshaw 19:45**

Are you sure you want to yield your time? I'm just confirming.

B**Brendan Mott 19:57**

I'm gonna say one more thing. Of what I noticed in Senate meetings. I don't believe that my wording from Fornatoro's initial appointment meeting have caused any like negative energy towards him in the Senate meetings. I believe people just accepted that he got elected, just like everyone else who got elected. I do not believe of what I've seen any negativity towards him

has occurred. There's been times where I've even agreed with him in Senate meetings and said, I agree. I think I don't think there's any, like any purposeful animosity happening because of what I said. And that's it.

C Chief Justice Crenshaw 20:38

Okay, Senator Mott has yielded the remainder of his time. We will now go into interested party statements, which I realize was going to be kind of hard because it was closed initially. But if any interested parties would like to speak on either the plaintiffs or defendants character or the situation, please go now. You get five minutes. If there is no one who would like to speak, the time will be automatically yielded and we'll move on to plaintiff closing statements.

I Ian Carbo 21:13

I would like to speak about one thing regarding the-

C Chief Justice Crenshaw 21:18

Name and position please.

I Ian Carbo 21:20

Ian Carbo, College of Business Administration, Senator.

S Senator Crenshaw 21:25

Okay, as soon as you're ready, the five minutes will begin.

I Ian Carbo 21:28

So going back to say what Brendan Mott said that him speaking on public record didn't have an effect on the Senate as a whole going forward. I would like to mention that in the same minutes, it mentions that Senator Sorlin, as a result of the things that Brendon said on record, mentioned that she thought it was more of a pattern and that she's all about second chances you can grow but I think again, it was a pattern. So going forward with these false intentions in going forward with these false statements to the Senate, a lot of them had this negative view on threat. Senator Peters was another one who spoke after Brendan Mott's statement. And then a later meeting that year, Senator Peters went to vote to censure Brett during a meeting as he spoke against a bill. And I feel like Brendan's statements during Brett's appointment might have had something to lend to Senator Peters vote to censure Brett. I yield my time.

C Chief Justice Crenshaw 22:47

Would anyone else like to speak, would any other interested parties like to speak on behalf of either the plaintiff or defendant? If so, go now, or the time will be automatically yielded. If no one else would like to go then the time is automatically yielded. We will now move into recess, which is optional. Does anyone motion to recess? Speak now or forever hold your peace.

B Brett Fornatoro 23:26

Brett Fornatoro would motion to recess. Do I have a second?

J Justice Aliyah Boyle 23:33

I second.

C Chief Justice Crenshaw 23:36

K. I guess we'll motion we'll move into recess. Recess will last for exactly five minutes. The time is 12:58. And I Chief Justice Crenshaw will begin the time now. You will be back at 1:04pm That is time. It is now 1:04 and recess has ended. Is everyone present? You could just type yes instead of unmuting everybody. okay

S Senator Crenshaw 29:37

Is Brett here? We need to make sure everybody

B Brett Fornatoro 29:42

Yes, Your Honor.

C Chief Justice Crenshaw 29:43

Okay. Since everyone is back from recess we will now enter plaintiff closing statement. You get five minutes whenever you're ready

B Brett Fornatoro 29:55

Alright, I would just like to touch back on some of the comments that Senator Mott had made. He had mentioned that he took action based on what he was advised to do, which I fully believe. However, I'm concerned as to why he said that that was what I tried to do, when those are the actions he had taken. And he also had said that there was ultimately no repercussions that were taken against me based on his words. However, I was rejected in that appointment vote, which was the outcome of what he was trying to do. However, bless the Democratic system. And there was ultimately another way that I was able to then be elected by the student body, as opposed to just the Senate. I yield my time. Thank you.

C Chief Justice Crenshaw 30:54

Okay, if you yield your time, we will now move on to the defendants closing statement. You get five minutes whenever you're ready.

B Brendan Mott 31:02

So I have a couple of closing statements. So my first one is that somebody mentioned, I believe it was Ian Carbo that, um, that my statements might have led to things that happen at future meetings. There is no definitive proof that that is why in fact, any Senator can motion to censure any other senator for any reason. So, I do not believe that that should be in consideration because that is that isn't really, that that could have been for any reason. It could have been for any other pretense it might not necessarily be because of me. But my second one is that I think this type of consequence is also just a bit extreme. When I am somebody who has done a lot of work for the student body, and I have a lot of projects that I'm working on, I'm also working on a few bills that I believe would be ultimately better for the student body. So I don't think it would be proper to just remove somebody because of of what I consider to be retaliation but, but also an addition like I have a lot of students that would have come to my defense had this been an open meeting now. I probably would have invited a few people to make some statements of their own. I don't believe that in a way sometimes I feel like I should have been granted that opportunity. But um, can I actually motion for a continuance because of that?

C Chief Justice Crenshaw 32:33

Motion for continuance is optional, any litigant may make a motion for continuance at this time, that time has passed for motion for continuance.

B Brendan Mott 32:42

Okay, that's okay. That's all right. But yes, so I believe that a lot of students would come into my support and and I'm sure a lot of students would come to Brett support too. I don't think it would just be me but I just I believe that that there's this should be taken into account as well that a lot of students would be in support and they would not want me to be kicked out of SGA. I feel as though it'd be too extreme of a consequence even if if y'all felt that I was doing something I wasn't supposed to be doing I feel like some other lesser consequence would be better for this particular circumstance. Thank you

C Chief Justice Crenshaw 33:25

Okay. Give me a second please. Okay, I am back. As Chief Justice, I am going to suspend the role for just this occasion about the order of when you can motion for a continuance and because of the special circumstances surrounding you know, the that entire situation. Me and executive are going to go and to oh, wait, no, we'll allow the plaintiffs rebuttal. They get three

minutes, and then we're going to go into questioning. And then when we go into the executive, the executive decision making process, we will factor in the motion for continuance, essentially. We will debate it. So now we'll keep going as as the schedule states for now. So the plaintiff gets a rebuttal for three minutes, you get three minute time limit, or you can just yield the time if you don't have anything else to say, and we'll move on to questioning by court.

B

Brett Fornatoro 35:39

I would just like to conclude by stating that the abundance of evidence to suggest that Senator Motts comments were made dishonestly and with the intent to have a student rejected from a Senate appointment. I believe that all the evidence would suggest exactly that. And I would hope the court pursues the fullest extent of the law. Thank you.

C

Chief Justice Crenshaw 36:07

Okay, Brett Fornatoro has yielded his time. We will now move into questioning. Questioning by Court, Justices may direct questions to any party. The Chief Justice or Presiding Justice (in absence of Chief Justice) may close the questioning period at his or her discretion. Questioning will now begin and I will go first. I have a question for Senator Mott, Um, what is the code regarding the retroactive emails that you mentioned in your defense statement?

B

Brendan Mott 36:43

So it was a code in the in the impeachment code, I need to find it fairly quickly. So um, so it's in the Constitution or the Senate rules, it was in one of them, where, where you cannot use retroactive stuff for like charges. But actually, I believe that because I brought up retroactive stuff in an appointment because you can bring your retroactive stuff in an appointment, I believe that it actually won't apply. So I think I can rescind that statement.

C

Chief Justice Crenshaw 37:17

Okay, thank you. At this time do any of the Justices have any questions for either the plaintiff or defendant?

J

Justice Aliyah Boyle 37:28

Justice Aliyah Boyle, I actually do have a couple questions for Senator Mott. I just like to first start off by saying that you had mentioned before that it would have been a luxury to know that this was an open case. And I just want to make sure that you know that, to my knowledge as a justice I was not even aware that this was an open case. So to my knowledge, it was closed. So I would just like to say that. I think I understand your frustration. But I don't think that was necessary to say. Yeah, go ahead Todd Sorry.

A

Advisor Gitlin 38:12

A ADVISOR GRIMM 36:12

Hey, I'm sorry. The confusion is on me. I apologize. It's on me. I take full blame for this. Yeah, I apologize.

J Justice Aliyah Boyle 38:24

Regardless, I don't think it should have been mentioned, I don't think it was very important to mention. And honestly, I would like to call decorum there. But anyways, I'll go on. So could you Senator Mott, I was wondering if you could show any evidence to the court, though it was not submitted. This is such a severe punishment for something that was done. So I just want to make sure that I touch all my bases on this. Could you prove that the other senator was omitting evidence? And if you can, I heard earlier that you mentioned that you could have brought some people in with you. Um, and I was wondering, I know, I don't know you very well, but I do know that you are very close friends with a lot of the senators that I know. And if you did bring them in how could that not be biased as your friend?

B Brendan Mott 39:27

Well, first of all, I'm going to answer that part first. So first of all, I believe that Fornatoro might have also brought someone who is biased himself as in Carlos in the same fraternity as him and they are friends. But regardless of that, um, realistically, I mean, everyone may have everyone may have some form of bias, and I would try to maybe even invite the whole Senate honestly, regardless if they're for or against me, that would be my ideal would be letting the whole Senate kind of make, kind of decide what they think of the situation and speak their mind.

J Justice Aliyah Boyle 40:04

Right. Another question that I had just to get some clarification, I just wanted to know how you felt that Brett undermined the committee because I did hear you mentioned that earlier. And I was wondering if you could touch more upon that. And

B Brendan Mott 40:22

The reason I felt like that is that I felt that he was very aggressive towards us. He was very just his, his demeanor was very rude. He always acted like, like he always was right. And he could never do anything wrong. And he would also claim that we were doing things wrong, because we were looking at the Senate rules. And our Senate rules are not exactly, they do not act exactly codify Robert's Rules, but they are based in Robert's Rules. And we were trying to specify, one examples, we're trying to specify the points of order versus point of privilege versus point of information. And he was saying that we actually do it wrong, which, according to Robert's Rules, possibly but but we have the right to write our rules the way we want. So I didn't think it was very respectful for him to keep going, I don't want to say that he doesn't want to write Robert's Rules, it in our rules about doing Robert's Rules completely properly. When there's many different deviations of Robert Robert rules, they're kind of in a template rather than an exact like rule set. In addition, another thing that happened was, um, he would

undermine the committee by something else I said, purposely trying to show that our old rules were bad in many ways. Some of these include on how during one meeting, um, there was a senator who had a bill up on the floor, and he purposely would use; going out of Senate rules, just to point out the bill. And this was a bill for the, for the School of Interdisciplinary Studies. So and a lot of senators were not happy with this. And another thing that he did by undermining the committee and, and Senate rules was that he purposely was angry at the vice president of the time, and specifically decided to say, to, to call a, to motion to cancel a slate for the budget committee just because he wanted to get back at the former vice president and this was during a recorded meeting, and he apologized to the whole Senate. And that's how he was undermining his responsibilities.

J Justice Aliyah Boyle 42:21

Brett, Could you just comment on that, just so I could get a little bit more clarity on your side as well?

B Brett Fornatoro 42:27

Yes. So in a senate meeting from the spring-

C Chief Justice Crenshaw 42:31

That's not allowed, you have to ask the direct question. Like if you wanted to ask Senator Fornatoro a question. You have to you have to verbalize and ask the direct question. You can't ask him to comment on another question that was asked that would be defeating the purpose of the of the previous things that we did. You can just ask the question.

J Justice Aliyah Boyle 42:53

Okay. Well, I'll rephrase then. Brett, do you feel that at anytime, during this election that you felt extremely angry at a specific person that may have caused you to overreact? And did that leak into any duties that you are doing at that time?

B Brett Fornatoro 43:21

Oh, well, I will admit, yes. I did overreact in a senate meeting last semester, where I objected to a slate because I was unhappy with the person who put the slate up. However, at the end of the meeting, the first thing I did, I apologized. I told the whole Senate why I did it, and that I felt bad for it. Following the meeting I had met with then Vice President Angelo Charles, we talked about it and ultimately we called it politics and we moved on with our lives. However, what I have seen from Senator Mott was not politics. That was a personal attack on my name and reputation. It wasn't objecting to a slate or opposing a bill. It was personal comments made about a student up for appointment. It's politics versus a personal attack.

J Justice Aliyah Boyle 44:11

Last question is for Senator Mott. Um, so in the concluding, in the witness statements, um, Mr. Carbo spoke about specific senators and instances that were related to this that did cause Brett to initially not get elected to the Senate. I was wondering how if other senators are noting this, how you feel it did not cause an issue and why would they not be because of the statements and the personal attacks, allegedly, that you allegedly made?

B Brendan Mott 44:53

So first of all, when I was referring to that I was referring to after the date of the appointment when he got elected at the end. To the democratic process. I am aware that that that my statements are part of the reason he did not get appointed initially. However, other senators, of course, did speak as well. And we do not know for a fact that Senators spoke because I spoke first. Anybody could have spoke, those two senators could have spoke first. And people could have had their own opinion. We do not know that for sure. Another part of it is that those future meetings were that's where that situation happened. That's the only one that was brought up with Senator Peters. That was a situation where, where in Senator Peters opinion, Brett said something he should not have said and that is why as a censure happened, that is has nothing to do with with my statements during the appointment.

J Justice Aliyah Boyle 45:46

Thank you, Senator Mott I yield the rest of my time.

C Chief Justice Crenshaw 45:49

Would any other justices like to ask a question? Okay, then I guess I will go, Chief Justice Crenshaw, I have a question for Brett. Brett, you said that, in your petition, that you feel as if your character was compromised, and that the information presented in both cases were defamation. Was there any like definitive moment after you were elected via the democratic process where you feel as if those actually hold true? Like any examples, any moments of discussions, emails, conversations?

B Brett Fornatoro 46:46

I can't I don't have any hard proof of this. I can elaborate on a handful of just conversations I had off the cuff with the handful of senators. I'll leave their names out of this. But a handful of

C Chief Justice Crenshaw 46:59

That's not necessary I just needed to you know, know, I don't need to know the details. I just wanted to elaborate?

B

Brett Fornatoro 47:07

Well, there are a handful of new senators that said that the comments made by Brendan they had nothing else to go off of. And so they just went along with the flow of the meeting, essentially. So yeah, there were a lot of influenced decisions made by Senator Mott's comments.

C

Chief Justice Crenshaw 47:25

Thank you. Does anyone else have any questions that they want to ask? Okay, I guess I'll ask another question. Brendan, I have a question for you. At any time during either of these debates for regarding Senator Fornatoro's election, do you feel as if your personal relationship or past instances with him affected your decision making process?

B

Brendan Mott 48:04

No, I do not believe so. In fact, I would say the opposite. I would say the SGA stuff in general has led to a damper on our personal relationship.

C

Chief Justice Crenshaw 48:17

Okay, thank you. Does anyone else have any questions? If not, I will move into the next action, which is where we meet and yeah,

J

Justice Selina Rollins 48:31

Justice Selina Rollins. Everybody hear me all right.

C

Chief Justice Crenshaw 48:35

Yes.

J

Justice Selina Rollins 48:36

Hi. I have a question for Mr. Brett. At the start of your opening statement, you mentioned the timeline of everything fall 2022-2023 school year. And that, if I'm not mistaken, and I heard you correctly, you were saying that there were like false personal attacks made against you at that time during a meeting when you were asked to step out? Do you have like any anything that you can like, elaborate more on for that? Or do you just feel like the personal attacks were all included in the email? I wasn't quite sure I was understanding exactly what you were saying there.

B

Brett Fornatoro 49:21

Well, just to make clear when a student is up for appointment in the SGA Senate, while the currently seated senators discuss their perspectives on that individual, that person is asked to leave the room. So I have no way of knowing. Well, aside from that, the meeting minutes I wouldn't have any way of knowing what was said. And that's all I have to go based off of is the black and white text of what exactly was said.

J Justice Selina Rollins 49:52
Right.

B Brett Fornatoro 49:54
Does that answer your question? I'm sorry.

J Justice Selina Rollins 49:58
Yeah, no, that's fine. Thanks.

C Chief Justice Crenshaw 1:18:39
Would anybody else like to ask any other questions? If not, then we will move into the next action. At this point, should there be any other action on the docket, the court will return to step c Supra. Upon hearing all matters on the docket, the court will adjourn. Okay, we will now move into our executive meeting so we can talk about the evidence that's been presented and make a decision on how we move forward.

A Advisor Gitlin 1:24:23
So Brett, Brendan, and Ian, I'm going to put you in the back in the waiting room, and then the justices are going to meet and yeah.

C Chief Justice Crenshaw 1:26:28
Is Brendan Mott and Brett Fornatoro present?

B Brett Fornatoro 1:26:34
Yes your honor.

B Brendan Mott 1:26:35
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Im present.

- C** Chief Justice Crenshaw 1:26:36
Okay. We've reached a deliberation and based on evidence provided, we have determined that we have ruled that Senator Brendan Mott will be censured with the addition that this isn't just a regular censure. Any future behavior or infractions taken against you will result immediately in an impeachment hearing. That is our ruling.
- J** Justice Aliyah Boyle 1:27:15
Senator Mott, did you hear?
- B** Brendan Mott 1:27:18
Yes, I heard
- C** Chief Justice Crenshaw 1:27:23
Do you understand our ruling?
- B** Brendan Mott 1:27:26
Yes.
- C** Chief Justice Crenshaw 1:27:27
Okay. With that we move into adjournment. This case has officially ended at 2:02pm