

**Subject:** Mail-in ballots

**From:** Bernie Bierman <supremo@compuserve.com>

**Date:** Mon, 06 Oct 2003 21:22:28 -0700

**To:** tradutor@portugueseinterpreter.com

I hate to be the bearer of bad news, but your desire to return to the pre-1990 mail-in ballots is a legal impossibility. You see, ATA is still a not-for-profit membership corporation organized and existing under the laws of New York State. New York State law specifically prohibits mail-in ballots (mail-in proxies are OK). All voting, according to NYS law, must be at the annual meeting. Indeed, prior to 1990-91, ATA was doing it all wrong, and technically, everything that it had done could have been undone had someone had the gall and the bucks to invalidate so many things enacted before the change-over to the legally-correct method of voting. Finally, you will find that many States prohibit mail-in ballots for business and not-for-profit corporations. Feel free to verify what I have just told you.

BB

**Subject:** Re: Mail-in ballots

**From:** Bernard Bierman <supremo@compuserve.com>

**Date:** Tue, 07 Oct 2003 15:26:02 -0400

**To:** J Henry Phillips <interpreter@portugueseinterpreter.com>

Message text written by J Henry Phillips

| I have, Bernie. It's a lie.<

What's a lie? That New York States does not allow voting by mail or that there are other States that have the same prohibition?

It was just last June that I took a look at the New York States Not-for-Profit Corporation Law, since someone in my Homeowners' Association here in New York State raised the very issue, and sure enough the stricture on voting by mail was alive and well in the NYS NPC.

Or is it a lie that ATA is still incorporated under New York State law?

I'd sure appreciate some clarification on this, not that I give a flying fuck about the ATA, but I'd like to be clear on this question with respect to my Homeowners Association in New York. Incidentally, Florida law is even clearer on this issue than New York State law. Are you also saying that mail-in ballots are permitted under Florida law?

Looking forward to hearing from you soon.

Bernie

**Subject:** Re: Mail-in ballots

**From:** J Henry Phillips <interpreter@portugueseinterpreter.com>

**Date:** Tue, 07 Oct 2003 16:23:25 -0500

**To:** Bernard Bierman <supremo@compuserve.com>

**BCC:** Albert Bork <albertgbork@earthlink.net>, Erik Macki <macki@seanet.com>, Beatriz Quintana <bq@beatrizquintana.com>, John Bukacek <jbukacek@japanesetranslations.com>, jhenry@braziliantranslated.com

Bernie, if there were an ounce of truth in any of that you'd be quoting verse and chapter. Besides, I've read all those NY laws myself, so who're you trying to kid? Furthermore, only you and your pet lawyer make any such claim. Other NY nonprofits are blissfully unaware you deem them criminals as they hold one-man-one-vote elections by mail all the livelong day. Call the cops, I dare you.

But speaking of illegal voting... hadn't you noticed the ATA board is prohibited from voting proxies? (Section 3 - Meetings and Quorum) This means that all the checkoffs your puppets transfer to them are void if voted by a boardmember. Cheerfully,

Bernard Bierman wrote:

Message text written by J Henry Phillips

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What's a lie? That New York States does not allow voting by mail or that there are other States that have the same prohibition?

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Bernie

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J Henry Phillips--Brazilian Translated  
<http://www.portugueseinterpreter.com>  
Austin association: <http://AATIA.org>

**Subject:** Re: Mail-in ballots

**From:** J Henry Phillips <interpreter@portugueseinterpreter.com>

**Date:** Tue, 07 Oct 2003 21:53:31 -0500

**To:** Bernard Bierman <supremo@compuserve.com>

Thanks, Bernie. In other words, you haven't an iota of evidence. But that's OK--I already knew that too.

The pet lawyer I referred to is the weak-minded fool the association had in 1990-91, but the current one is cut from the same cloth.

You might like this:

<http://www.blupete.com/Literature/Essays/Best/SumnerForgotten.htm>

I place it about 1905 or thereabouts. Cheerfully,

Bernard Bierman wrote:

Henry -

In the event you are not aware and/or hadn't noticed, I withdrew from the ATA field of battle or the ATA political arena (whichever one you prefer to call it) 7 years ago. I lost interest in the organization, in the industry and in translators for reasons that I prefer not to discuss. Therefore, there is not a drop of fuel left in my fuel tank to engage in verbal fireworks over issues in which I have no interest. Indeed, had I known that the organization known as "Freelance Party" was yours or something you were closely involved in, I would not have posted that message on its website. I posted it only because I believed that some relative newcomers to the scene were unaware of ATA's incorporation background.

Clearly, if the clock was re-set to 10 years ago, I would be (foolishly, very foolishly) quoting verbatim from the NY NPC, believing that somehow I could convince you. But we are in 2003 (almost 2004), not 1993, and frankly I don't give one fucking shit if the ATA votes or doesn't vote by mail or by proxy or by divine blessing. I don't even care if my New York Homeowners' Association does likewise.

Incidentally, I don't have an attorney, and haven't had one since 1995, when I sold my business. (I retained the services of a local attorney for about a month when I sold my house in 1999.). So I am lawyerless and hope to remain so.

<<But speaking of illegal voting... hadn't you noticed the ATA board is prohibited from voting proxies? (Section 3 - Meetings and Quorum) This means that all the checkoffs your puppets transfer to them are void if voted by a boardmember.>>

No, I hadn't noticed for the simple reason that, as said above, I haven't taken notice of ATA since November 1996. Yes, I am still a member (life/associate) for reasons of self-interest, but that's about it. I don't vote, I can't vote, I don't go to conventions, I don't go to meetings, I don't read the Chronicle, and in a phrase I don't care and don't give a fuck.

Finally, I am mystified about this word "puppets". I can only construe this as a manifestation of your belief that I am still somehow active in the Association. I hope all of the foregoing will clarify that for you.

Sincerely,

Bernie Bierman

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J Henry Phillips--Brazilian Translated  
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Austin association: <http://AATIA.org>

