

SPECIAL MEETING MINUTES
LIBERTARIAN NATIONAL COMMITTEE
November 21, 2021
VIA ZOOM



CURRENT STATUS:

FINAL (REV1)

PREPARED BY **CARYN ANN HARLOS**, LNC SECRETARY

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LEGEND: *text to be inserted*, ~~text to be deleted~~, unchanged existing text, *substantive final main motions*.

All main substantive motions will be set off by *bold and italics in green font* (with related subsidiary and incidental motions *set off by highlighted italics*) and will be assigned a motion number comprising the date and a sequential number to be recorded in the Secretary-in-Exile's Main Motion/Ballot Tally record located at <https://tinyurl.com/lncvotes2021>

Points of Order and substantive objections will be indicated in **BOLD RED TEXT**.

All vote results, challenges, and rulings will be set off by **BOLD ITALICS**.

The LPedia article for this meeting can be found at:
[https://lpedia.org/wiki/LNC Meeting 21 November 2021](https://lpedia.org/wiki/LNC_Meeting_21_November_2021)

Recordings for this meeting can be found at the LPedia link.

OPENING CEREMONY

CALL TO ORDER

Chair Whitney Bilyeu called the meeting to order at 7:33 p.m. (all times Eastern)

HOUSEKEEPING

ATTENDANCE

The following were in attendance as per the roll call of the Secretary:

Officers: Whitney Bilyeu (Chair), Ken Moellman (Vice-Chair), Tim Hagan (Treasurer)

At-Large Representatives: Laura Ebke, Richard Longstreth, Erik Raudsep, Valerie Sarwark, Joshua Smith

Regional Representatives: Chris Luchini (Region 1), Steven Nekhaila (Region 2), Dustin Nanna (Region 3), Susan Hogarth (Region 5), John Phillips (Region 6), Erin Adams (Region 7), Rich Bowen (Region 8)

Regional Alternates: Alex Flores (Region 1), David Sexton (Region 2), Jared Hall (Region 3), Tim Ferreira (Region 4), Otto Dassing (Region 5), Matthew Bughman (Region 6), John Wilford (Region 7), Pat Ford (Region 8)

Absent: Jeffrey Hewitt (Region 4)

Vacant: None.

Staff: Tyler Harris (Executive Director)

Representing the Interested Parties of Delaware: Bill Hinds, Amy LePore, Will McVay

Others: Richard Brown (Parliamentarian)

There were numerous members of the gallery present. No attendance was attempted.

MEETING PURPOSE

Discussion on the situation regarding the leadership of the Libertarian Party of Delaware called by Erin Adams, Laura Ebke, Susan Hogarth, Richard Longstreth, Chris Luchini, Ken Moellman, Dustin Nanna, Steven Nekhaila, John Phillips, Erik Raudsep, and Joshua Smith.¹

¹ Matthew Bughman attempted to join in the call, but alternates cannot call for special meetings.

Documents submitted to the LNC by interested parties for their review and consideration during this meeting are attached hereto as exhibits.

PUBLIC COMMENT AND CHAT

Ms. Hogarth stated that it is the will of the Chair whether or not the chat function is turned on. Mr. Smith objected that has never been the practice. Ms. Bilyeu unilaterally decided to turn the chat function off without a vote of the LNC without further objection. There was no discussion or overt decision to disallow public comment.

LEADERSHIP CONTROVERSY IN THE LIBERTARIAN PARTY OF DELAWARE

INTRODUCTION



The meeting opened with an introduction by Ms. Hogarth as Delaware is part of Region 5.² Statements were given by the various representatives giving their sides of the controversy on the rightful leadership of the affiliate with Mr. Hinds and Dr. LaPore being the Chair and Vice-Chair elected by delegates to the Libertarian Party of Delaware (LPDE) state convention in June 2021 and Mr. McVay claiming to have assumed the Chairmanship of the LPDE after amendment of the Articles of Association (AoA) and subsequent removal of Mr. Hinds, Dr. LePore, and Dave Casey.³

This was followed by a period of questions and answers to Ms. Hogarth and to the representatives from Delaware. 55

LNC QUESTIONS TO WILL MCVAY



Questions were directed to Mr. McVay with rebuttal allowed by Mr. Hines.

LNC QUESTIONS TO AMY LEPORE



Questions were directed to Dr. LePore with rebuttal allowed by Mr. McVay. McVay gave explanation for the changes made to membership requirements with questions asked and answered.

² Chair Bilyeu decided against proceeding in Committee of the Whole due to the limitations of electronic meetings.

³ The LPDE has both Articles of Association and Bylaws. The Articles of Association are the equivalent to its Constitution.



DECISION OF CHAIR TO DISALLOW COMMENTS OR QUESTIONS FROM THE GALLERY

Upon noting that members of the gallery had hands raised, Ms. Bilyeu made a decision that these questions would not be allowed.



CONTINUATION OF LNC QUESTIONS TO DELAWARE REPRESENTATIVES

Questions were continued to be posed to the representatives of Delaware with the majority being directed to Mr. McVay.



MOTION TO ADJOURN

Mr. Phillips moved to adjourn. Mr. Ford requested a roll call vote be taken.

A roll call vote was conducted with the following results:

Member / Alternate	Aye	Nay	Abstain
Adams		X	
Bilyeu			X
Bowen		X	
Ebke	X		
Ferreira		X	
Hagan		X	
Hogarth		X	
Longstreth	X		
Luchini		X	
Moellman		X	
Nanna		X	
Nekhaila		X	
Phillips	X		
Raudsep		X	
Sarwark	X		
Smith		X	
TOTALS	4	11	1

This motion FAILED with a roll call vote of 4-11-1. [20211121-01]

The questioning of Mr. McVay continued after the failure of this motion.



MOTION TO CREATE AD HOC AFFILIATE BYLAWS REVIEW COMMITTEE

Mr. Nekhaila moved to create an ad hoc special committee whose purpose is to review the founding documents of the affiliates, as requested by the affiliates, to make suggestions for professionalizing the rules in regard to members' rights.

Mr. Phillips raised a **POINT OF ORDER** that this motion goes beyond the scope of notice for this special meeting. Ms. Bilyeu concurred and ruled the motion **OUT OF ORDER**.

Mr. Bowen relinquished his seat to his alternate, Mr. Ford.

MOTION TO RECOGNIZE HINDS BOARD

Mr. Ford moved the Libertarian National Committee, and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention and shall be recognize as the sole authority of the Libertarian Party of Delaware. [20211121-02]

WITHOUT OBJECTION, Ms. Hogarth moved to insert “of 2021” after the word “convention.”

Without objection, testimony was given from Mr. McVay and Mr. Hinds on this issue.

Mr. Longstreth raised a **POINT OF ORDER** that this motion violates Bylaws Article 5.5.⁴

Ms. Bilyeu ruled the Point of Order **WELL-TAKEN** stating that the motion as written is not a petition to recognize a state affiliate.

Mr. Ford APPEALED FROM the ruling of the Chair. [20211121-03]

Mr. Moellman raised a **POINT OF ORDER** that this appeal would be debated. Ms. Bilyeu ruled the Point of Order **WELL-TAKEN**, and debate proceeded.

Mr. Luchini left the meeting, and Mr. Flores assumed his seat.

WITHOUT OBJECTION, Ms. Adams moved for a five (5) minute recess.

A roll call vote was conducted on the Ford Appeal with the following results:

Member / Alternate	Aye	Nay	Abstain
Adams	X		
Bilyeu			X
Ebke	X		
Ferreira		X	
Flores			X
Ford		X	
Hagan		X	
Hogarth		X	
Longstreth	X		

⁴ The autonomy of the affiliate and sub-affiliate parties shall not be abridged by the National Committee or any other committee of the Party, except as provided by these bylaws.

Member / Alternate	Aye	Nay	Abstain
Moellman	X		
Nanna		X	
Nekhaila		X	
Phillips	X		
Raudsep		X	
Sarwark	X		
Smith		X	
TOTALS	6	8	2

The ruling of the Chair was OVERTURNED with a roll call vote of 6-8-2. [20211121-03]

WITHOUT OBJECTION, Ms. Hogarth moved to add “under the bylaws extant at that time” to the end of the motion.

Mr. Luchini returned to the meeting and resumed his seat.

The Ford motion, as amended, now read:

Mr. Ford moved the Libertarian National Committee, and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention of 2021 and shall be recognize as the sole authority of the Libertarian Party of Delaware under the bylaws extant at that time. [20211121-02]

WITHOUT OBJECTION, Mr. Nanna moved to end debate.

Mr. Longstreth raised a POINT OF ORDER asking if we were chartering an existing affiliate with the Chair responding that it appeared to her that we would be undoing the existing affiliate and affiliating a new state-level party as per Bylaws Article 5.2.⁵ After conferring with the Parliamentarian, Ms. Bilyeu ruled that it would require a majority vote in light of the earlier overturning of her ruling and the fact that they are not dissolving an affiliate.

A roll call vote was conducted on the Ford motion, as amended, with the following results:

Member / Alternate	Aye	Nay	Abstain
Adams		X	
Bilyeu		X	
Ebke		X	
Ferreira			X

⁵ The National Committee shall charter state-level affiliate parties from any qualifying organization requesting such status in each state, territory, and the District of Columbia (hereinafter, state). Organizations which wish to become state-level affiliate parties shall apply for such status on a standard petition form as adopted by the National Committee, which petition shall be signed by no fewer than ten members of the Party residing in the appropriate state. Affiliate party status shall be granted only to those organizations which adopt the Statement of Principles and file a copy of their constitution and/or bylaws with the Party Secretary

Member / Alternate	Aye	Nay	Abstain
Ford	X		
Hagan		X	
Hogarth	X		
Longstreth		X	
Luchini		X	
Moellman	X		
Nanna	X		
Nekhaila	X		
Phillips		X	
Raudsep	X		
Sarwark		X	
Smith	X		
TOTALS	7	8	1

The motion FAILED with a roll call vote of 7-8-1. [20211121-02]

MOTION TO DISAFFILIATE THE LIBERTARIAN PARTY OF DELAWARE

Mr. Nanna moved to disaffiliate the Libertarian Party of Delaware. [20211121-04]

Mr. Flores raised a **POINT OF ORDER** that a motion to disaffiliate requires that cause be given.⁶

Ms. Bilyeu ruled the Point of Order **WELL-TAKEN** but stated that the motion could be amended to include cause.

Permission was granted to hear from Mr. Hinds and Mr. McVay on whether or not they would desire disaffiliation.

Mr. Nanna moved to amend to add “for violation of the spirit of their Bylaws in installing a new State Board.”⁷

WITHOUT OBJECTION, Ms. Hogarth moved to amend the Nanna amendment to add “and for disenfranchising over 2,000 Libertarians.”

Mr. Bughman raised a **POINT OF ORDER** that it was after midnight eastern time.⁸

⁶ Bylaws Article 5.6.

⁷ There was no vote on this amendment after the Hogarth secondary amendment, and a substitute was allowed inappropriately.

⁸ This Point of Order should have been disregarded as Regional Alternates are not permitted to make motions unless granted the primary seat by the Regional Representative.



Ms. Bilyeu ruled the Point of Order **NOT WELL-TAKEN** as the agenda had no listed time for adjournment.

Mr. Raudsep moved a substitute motion as follows:

Move to disaffiliate the Libertarian Party of Delaware for having two boards, and the Libertarian National Committee being unable to decide an appropriate Board. [20211121-04]

The Raudsep substitute motion **PASSED WITHOUT OBJECTION.**

WITHOUT OBJECTION, Mr. Smith moved to end debate.

A roll call vote was conducted on the Raudsep substitute with the following results:

Member / Alternate	Aye	Nay	Abstain
Adams			X
Bilyeu			X
Ebke		X	
Ferreira		X	
Ford	X		
Hagan	X		
Harlos (in exile)			
Hogarth	X		
Longstreth			X
Luchini			X
Moellman	X		
Nanna	X		
Nekhaila	X		
Phillips			X
Raudsep	X		
Sarwark		X	
Smith	X		
TOTALS	8	3	5

The motion FAILED with a roll call vote of 8-3-5. [20211121-02]⁹

ADJOURNMENT

The meeting adjourned **WITHOUT OBJECTION** upon motion of Dr. Ebke at 12:40 a.m.

⁹ A disaffiliation requires a ¾ vote of the entire National Committee as per Bylaws Article 5.6, i.e., twelve (12) votes.

TABLE OF NUMBERED MOTIONS/BALLOTS

*Note that the master log of motions in 2021 can be found here: <https://tinyurl.com/lncvotes2021>

ID#	Motion/Ballot	Result
20211121-01	Adjourn	FAILED
20211121-02	Motion to recognize the board as elected at the Libertarian Party of Delaware 2021 convention	FAILED
20211121-03	Appeal from the Ruling of the Chair	OVERTURNED
20211121-04	Disaffiliate the Libertarian Party of Delaware	FAILED

TABLE OF APPENDICES

Appendix	Title	Author
A	Letter dated February 16, 2018	Wes Benedict
B	Evidence Package and Argument Dated October 6, 2021	Bill Hinds and Amy LaPore
C	Follow-Up Dated November 6, 2021	Bill Hinds and Amy LaPore
D	Letter Dated November 10, 2021	Jess McVay
E	Letter Dated November 11, 2021	Sean Goward
F	Letter Dated November 11, 2021	Caryn Ann Harlos
G	Response to LNC	Will McVay
H	Original Final Minutes (Replaced via Ballot 20220609-01)	Tim Hagan

Respectfully submitted,



APPENDIX A – LETTER DATED FEBRUARY 16, 2018 FROM WES BENEDICT



February 16, 2018

**Statement of the Libertarian National Committee
Regarding the Libertarian Party of Delaware**

The Libertarian National Committee (“LNC”) has received notice that on November 6, 2017, a political committee filed a Statement of Organization with the Delaware Commissioner of Elections under the name “The Libertarian Party of Delaware Inc.”. The Commissioner of Elections apparently accepted this filing even though another political committee was already established and actively operating under the name “Libertarian Party of Delaware”, pursuant to a Statement of Organization filed on December 5, 2005.

As the governing body of the Libertarian Party, the LNC hereby affirms that it recognizes the “Libertarian Party of Delaware”, which was established pursuant to the December 5, 2005 Statement of Organization, as the Libertarian Party state affiliate for the state of Delaware (“LPDE”). The LNC does not recognize and is not affiliated with the entity calling itself “The Libertarian Party of Delaware Inc.”, or any other statewide political committee in Delaware. Further, the LNC recognizes the sole and exclusive authority of LPDE, through its duly elected officers and in accordance with party by-laws and applicable state law, to recognize and affiliate with county-level political committees.

The Libertarian Party cannot have more than one statewide affiliate in any state, nor can it have more than one county-level affiliate in any county. The LNC has therefore requested that the Commissioner of Elections take prompt action to resolve this matter in accordance with Delaware law. Until such resolution is achieved, the LNC issues this statement in an effort to minimize confusion and provide clarity for voters who may wish to support the Libertarian Party.

Wes Benedict 2/16/2018
Wes Benedict
Executive Director

Libertarian National Committee, Inc.
1444 Duke St., Alexandria, VA 22314
800-ELECT-US Fax: 202-333-0072 info@lp.org LP.ORG

APPENDIX B – EVIDENCE PACKAGE AND ARGUMENT DATED OCTOBER 6, 2021



October 6th, 2021

Dear Members of the Libertarian National Committee,

As you are already aware, there are ongoing issues in the Libertarian Party of Delaware (LPD) that threaten the growth and success of the party. Our goal in providing this documentation is to give you a full picture of the events that have transpired. We certainly appreciate your time and attention to this matter and are happy to answer any follow-up questions which may arise.

It is of the utmost importance that the Committee recognize that the Libertarian Party of Delaware is still under the leadership of the duly elected Chair, Bill Hinds. We ask that the committee act quickly to recognize Chairman Hinds as there is an increase in the threats to substantial segments of LPD membership coming from those parties who claim to be in leadership roles. In fact, members have been warned against attending meetings in one of our three counties and all LPD members have been put on notice that the State Board will usurp any local affiliate power to determine who is permitted to be a member. We have included this information as Appendix 1. Chairman Hinds, Vice Chair, Amy LePore, and the two New Castle County Board Representatives Dylan Griffith and Dave Casey are working to rectify this situation and will take the following actions in the coming days:

- Meet with the Delaware Department of Elections for an update on their active investigation into changes made on October 4th
- Work with law enforcement and the Attorney General's office to secure the LPD bank accounts
- Share this packet of evidence with our attorney
- Reconstitute the web and social media presence of the LPD

While we are providing a timeline below that is related directly to the activities on October 1st, there are several other matters which must be established.

We understand that there is some confusion over the status of LPD as it appears that there is a separate group which claims the State Board title. ***Under the direction of Will McVay, Kent County Libertarian Party Chair, LPD social media and financial assets have been stolen.*** Complicit in this act are Mary Pat McVay, Brandi Kerchevall, Joe Dipasquale, and Jimmy Brittingham. Their actions, taken between August 31 and October 1, appear to have been for the purpose of wholesale consolidation of party power in the hands of a few. This includes a continuation of unfettered control by a single individual, Will McVay, of all party communication both internally and externally. The actions of the above listed parties have culminated in an attempt to purge those board members who were unaware of the hidden agenda, whom if informed, would have surely stood against such centralization.

Their motives are now clear, underscored by their months long refusals to provide the Chair or Vice Chair the ability to review financial information or to access social media accounts. What is less clear is the link between Mr. McVay's other political parties and the actions described here. It is important to note that the Kent County Chair, Will McVay, has gone through the process to found and maintain a competing political party known as The Mandalorian Party. At the very least this affiliation raises serious concern as a conflict of interest with his position as Kent County Chair and even more so as he is the driving force in the move to expel duly elected members of the board. Effectively, while head of his competing party, he has convinced other libertarians to subvert the will of the Delaware Libertarian Party delegates through nefarious and procedurally inconsistent means. We are including screenshots in Appendix 2 that

indicate their ongoing operations and that include participation by at least two of the above mentioned people. ***Of primary concern is that the bank accounts are no longer under the control of the true LPD, but are under the name of Mary Pat McVay who appears to be a part of the operations of this rogue faction listed above and the Mandalorians of Delaware Party as well. Further, Kent County Board Representative Brandi Kerchevall recently moved to sequester LPD funds and to authorize the receipt of unspecified loans to the party, the motion was adopted and no additional information is available on the state of the party's accounts. This screenshot is included in Appendix 2.***

One additional matter of importance exists which can help to clarify what has occurred. Since the June 2021 convention, Will McVay has refused to give administrative access to social media accounts or to the party's website. ***Mr. McVay claims that these assets are his private property and as such, the duly elected officers have had no access to official LPD means of communication during their tenure.*** We have included evidence of this as well in Appendix 3.

The membership of the Libertarian Party of Delaware deserves far better than it has gotten out of its board in the last six months. As you may know, Sean Goward, past Chair of the LPD, found no other way but to resign given how poorly new members are treated. The activity that we describe in this document is simply a continuation of that treatment. We have included Sean's letter of resignation as Appendix 4.

As you'll see below, the actions taken by the 5 members listed above to deceive the entirety of the deliberative body must be met with swift action. The accusations they have made against party officers are wholly inaccurate and are not supported with any evidence. The process they used was far outside of any forthright procedural expectations, and permitted the theft of financial assets.

We are providing this packet of evidence to the Libertarian National Committee to ensure that members are informed about the occurrences in Delaware. We will work to rectify this situation locally, but reserve the right to call upon the LNC to act against these rogue members. Quick action must be taken to secure the unauthorized use of the name "Libertarian Party" and in order to avoid additional damage to the Libertarian Party of Delaware properly registered with the LNC Secretary under LNC Bylaws, Article 5. We can further explain the information contained here in a meeting, and request an audience with the LNC during its November 3rd session.

We are happy to answer any questions related to the timeline below or the evidence presented. We look forward to working with you to rectify this unfortunate situation.

Sincerely,



Bill Hinds, Chair

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SECTION 1 SUMMARY OF VIOLATIONS

Violations of Notification

- The notification of a change to Bylaw 4 claimed by McVay and his co-conspirators is defective and in violation of Roberts Rules of Order. Specifically, the lack of notice does not comply with RONR (12th ed.) 9:13 Special Meetings “notice of the time, place, and purpose of the meeting, clearly and specifically describing the subject matter of the motions or items of business to be brought up, must be sent to all members a reasonable number of days in advance.” Additionally, special meetings should only be called as authorized in the bylaws or as authorized by the assembly for varying reasons, according to RONR (12th ed.) 9:14. The board did not authorize a call for a special meeting, nor did the Chair direct the Secretary to send notice of a special meeting.

While LPD Articles IV and X address how to convene a meeting and how to provide notice for a bylaw or article amendment respectively, there is no guiding language about meeting notification. In this case, the LPD bylaws regarding meeting notification are not specific and should rely on Roberts to clarify the requirements stated in RONR (12th ed.) 9:13 Special Meetings.

- There is also a clear concern that the basic underlying principles of parliamentary law have been violated. Specifically, both Roberts Rules of Order and the adopted bylaws should protect the membership and its ability to participate fully. In this case, rogue members exploited the absence of board members and perform their illicit acts under cover of secrecy. (See RONR p. xlix)

- *LPD Bylaw 2: Chairman Succession* which states, “If the Office of Chair is vacated, it shall pass to the Vice Chair. If there is no Vice Chair, the Chair shall next pass to the Chair of the County with the greatest number of members according to Delaware Commissioner of Elections lists.” The absence of the Chair, Vice Chair, and Chair of the county with the greatest number of members, for one minute, online in a Discord server, without any notice whatsoever of business being moved, cannot be reasonably interpreted to mean that each of them had vacated the offices to which they were duly elected. In addition, there was no effort made to contact those officers, nor was there a request to see if they would like to appoint proxies, as is their right under Article 4.

- The vague language in *LPD Article X: Notice* cannot be construed to mean that any post that initiates discussion about a bylaw is sufficient notice of pending action to board members. In this case the preface of “Change Bylaw 4?” cannot be argued to mean that the language that followed is an official notification. The Article states: “Many actions described in these Articles of Association and the accompanying By-Laws require notice of that pending action be provided to members. Any one of the following methods shall constitute proper notice:

- 1- Posting on the LPD Facebook page
- 2- Posting to the LPD Facebook group
- 3- Posting on the LPD webpage”

- Mr. McVay admits that obscuring the bylaw language was his intent, and that the steps outlined on the timeline that follows were for the purpose of ensuring that five other board members would be unaware of his group's plot.


Violations of Member Rights

- The actions of the five rogue members ensured that there could not be full participation by Mr. Hinds, Dr. LePore, and Mr. Casey in that they were not provided the right to attend meetings, to make motions, to speak in debate, or to vote as described in RONR (12th ed.) 1:4 and 25:11. These are among the most basic operating principles which can only be abridged as a result of disciplinary action.
- Roberts Rules are clear that the rights of absentee members are of the utmost importance and are deserving of protections. RONR (12th ed.) 25:10 states that "Rules protecting absentees cannot be suspended, even by unanimous consent..." and that among the several protections offered to absentees is "previous notice of a proposed amendment." Clearly the events of August 31 and October 1 were crafted intentionally so that three members would be absent. The actions take on both of those days violated the rights that must be afforded to absentees.

SECTION 2 TIMELINE OF EVENTS

August 31st: A possible change to Bylaw 4 was mentioned by an LP member in the LPD Facebook Group. While the LPD bylaws permit proposals for change to be notified to Board Members in the Facebook group, this particular bylaw discussion did not indicate that it was an official suggestion to make a change, nor was it treated by the group administrator- Will McVay- in accordance with past practice. It is markedly different than official bylaw change notifications in that:

- The group administrator (Will McVay) very quickly turned off comments, driving the post down in group member feeds while others flooded the group with posts and comments to effectively and intentionally hide the post. An image below also captures the original poster having turned off comments, presumably this is a more recent action intended to hide that the group administrator shut the comments off originally. In a recent interview, Mr. McVay denied shutting off comments multiple times until the screenshots were provided to him [\(Click here for a link\)](#). The image to the left was captured in the moments after the 10/1 vote was taken. The image on the right demonstrates what the post looks like presently.

 **Will McVay** turned off commenting for **Steve Newton's** post.
Tue, Aug 31, 9:06 PM

Post

 **Steve Newton**
Aug 31 · 🌐

"Change Bylaw 4?:
For members of the State Board accused of misconduct, they may face a similar range of sanctions as those listed above for members at large and the additional option of removal from office. This may occur in one of two ways:
A. By a vote of 2/3 of the sitting County Chairs, or
B. At Convention by a motion to sanction and a vote of 2/3 of members present."

 **Steve Newton**
August 31 · 🌐

"Change Bylaw 4?:
For members of the State Board accused of misconduct, they face a similar range of sanctions as those listed above for members at large and the additional option of removal from office. This may occur in one of two ways:
A. By a vote of 2/3 of the sitting County Chairs, or
B. At Convention by a motion to sanction and a vote of 2/3 of members present."

 Like


 Share

Steve Newton turned off commenting for this post.

- Immediately after the bylaw 4 language was posted, the 5 parties involved and several associates initiated a "meme dump" in an attempt to further obscure the post which discussed bylaw 4. Screenshots of their activity are below and the interview linked to above includes Mr. McVay's own admission of intent to hide the bylaw language.

 **Will McVay**
Special thanks to [Roger Stemler](#), [Joseph David DiPasquale](#), [Aarika Nelson](#), [Mary Pat McVay](#), [Gwendolyn M. Jones](#), [Jimmy Brittingham](#), [Brandi Kerchevall](#), and [Jhan Machurek](#) for kickstarting us.

4w Like  

 **Roger Stemler**
Can't wait till the next one.

4w Like  

 **Will McVay** [Libertarian Party of Delaware](#) · [Join](#)

Aug 31 at 22:34 · 🌐
Thank you to everyone who is participating in our meme dump. If you're having as much fun as we are, please make sure to join us at our monthly county meetings and social events, visit our website at <https://lpdelaware.org>, make a donation, follow our county pages, and help us set Delaware and the world free in our lifetimes.

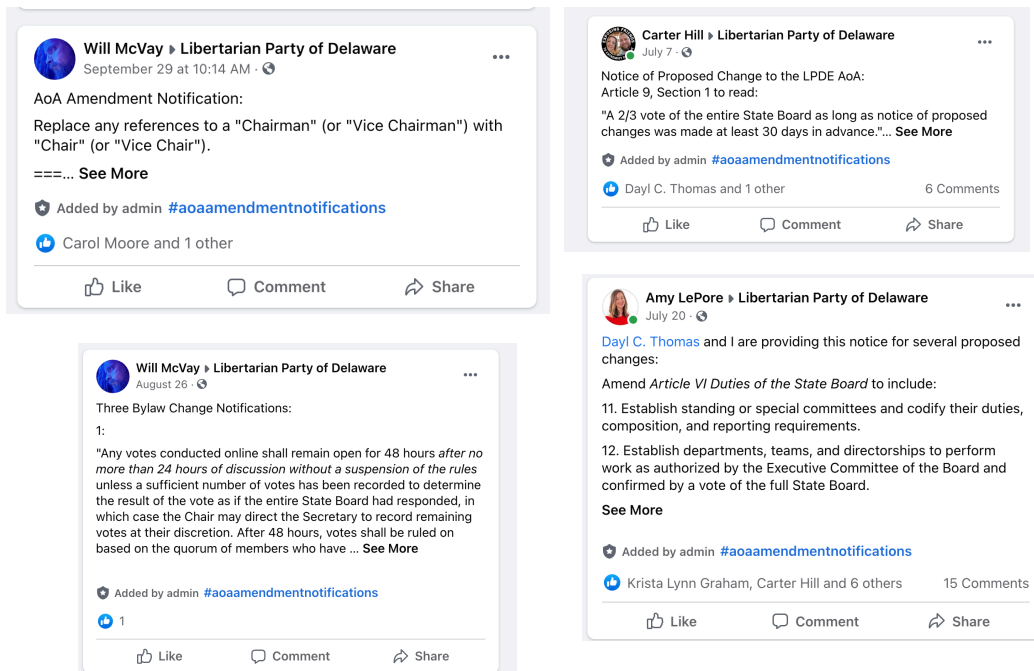


- The group administrator, Mr. McVay, did not tag the post using #aoaamendmentnotifications as is past practice. We have included other official change notifications on the following page
- The change suggested in Mr. Newton's post was not discussed between the board members at any time
- There was no notification by the Secretary to the board members, nor was there placement of it on the agenda for the board meeting that followed on September 27th. The Secretary, who has now resigned, was unaware of this suggested change, indicating that it was intentionally obscured from him as well.

The vague language in *Article X: Notice* cannot be construed to mean that any post that initiates discussion about a bylaw is sufficient notice of pending action to board members. In this case the preface of "Change Bylaw 4?" cannot be argued to mean that the language that followed is an official notification. The Article states: "Many actions described in these Articles of Association and the accompanying By-Laws require notice of that pending action be provided to members. Any one of the following methods shall constitute proper notice:

- 1- Posting on the LPD Facebook page
- 2- Posting to the LPD Facebook group
- 3- Posting on the LPD webpage"

Below are several examples of how proposed article or bylaw amendments in the Facebook group have been handled in the past. Each one is for proposed change.



September 27th: A monthly, ad hoc State Board meeting was convened in Discord at 7PM. The draft agenda had been shared 14 days prior and additions and edits from the Board were included. Immediately after roll call Joe Dipasquale, the Board representative from Sussex County motioned to adjourn. The motion was seconded by Will McVay and passed. Will McVay, Mary Pat McVay, Brandi Kercheval, Jimmy Brittingham, and Joe Dipasquale all voted in favor of immediately adjourning. Bill Hinds, Amy LePore, Dave Casey, and Dylan Griffith opposed the motion to adjourn.

At the close of the meeting the Secretary Dayl Thomas resigned citing the need to attend to stress and related health issues. His resignation left the board at 9 people and unintentionally cleared the way for the actions of Will McVay, Mary Pat McVay, Brandi Kercheval, Jimmy Brittingham, and Joe Dipasquale on October 1st.

If the Secretary had been aware of an official bylaw amendment he would have included it on the agenda for September 27th or made the board members aware by some other means. It appears that this information was also obscured from him and shared only with the 5 parties listed in the above paragraph. He states emphatically that he was unaware that there was a bylaw change proposal.

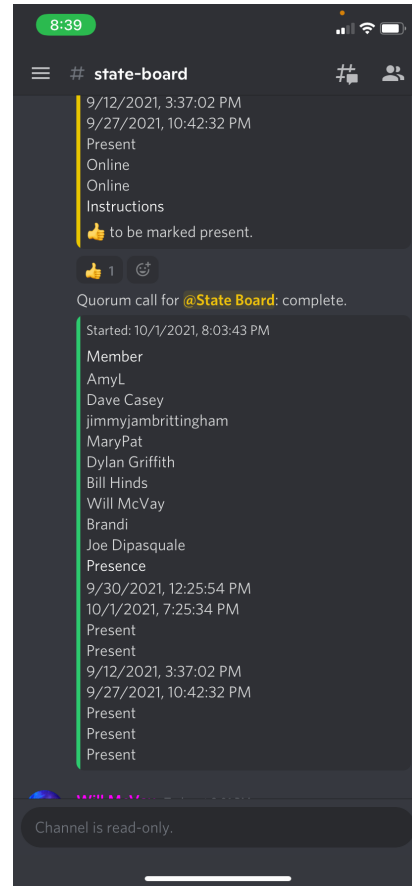
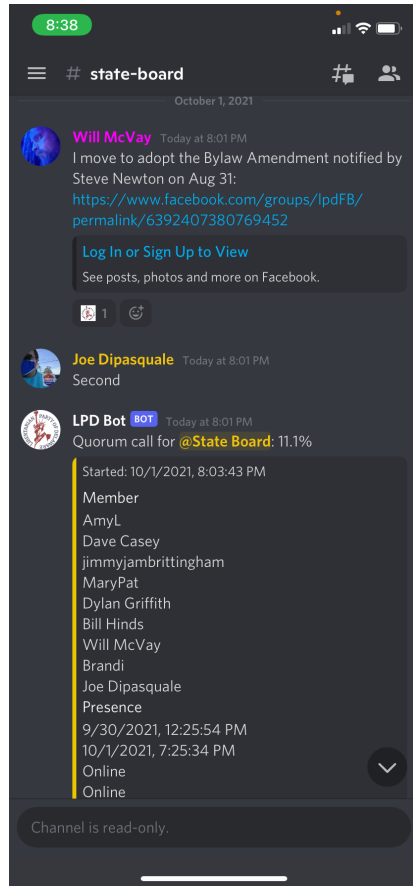
Further, the September meeting would have been an optimal time to discuss Mr. Newton's language if a member believed it rose to the occasion of an officially notified amendment. Since the convention, it has been common practice to use board meetings for discussion about article or bylaw amendments. In fact in every meeting since the convention, amendments have been discussed and debated. Appendix 5 includes the minutes of these meetings with highlighted amendment discussion as examples of standard practice.

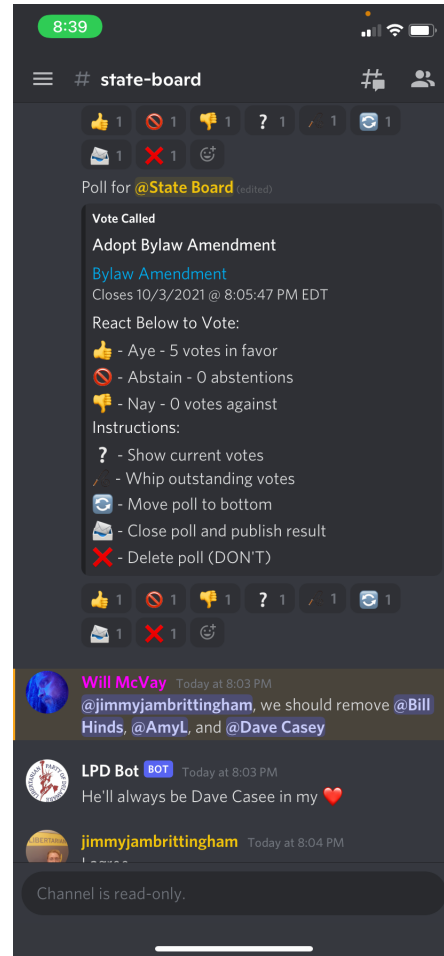
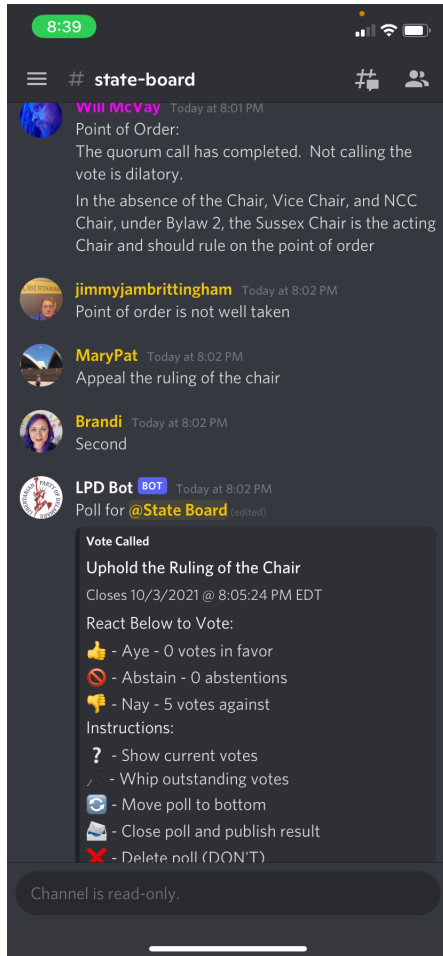
October 1st: On the evening of October 1st a motion was made by Mr. McVay to pass a change to the bylaws that would replace the prior language requiring 4/5 of the full board (10 members) to vote on removal of board members with a requirement of only 2/3 of county chairs. The chair was given less than a minute to respond and in his absence, the absence of the vice chair, and the absence of the New Castle County chair the board moved forward. The process for replacement they claim to use here is Bylaw 2: Chairman Succession which states, "If the Office of Chair is vacated, it shall pass to the Vice Chair. If there is no Vice Chair, the Chair shall next pass to the Chair of the County with the greatest number of members according to Delaware Commissioner of Elections lists." The absence of the Chair, Vice Chair, and Chair of the county with the greatest number of members, for one minute, online in a Discord server and without any notice whatsoever of business being moved, cannot be reasonably interpreted to mean that each of them had vacated the offices to which they were duly elected. In addition, there was no effort made to contact those officers, nor was there a request to see if they would like to appoint proxies, as is their right under Article 4. All activity described below took place in the LPD Discord Server between 8:01 PM and 8:06 PM that evening. Screenshots from the Discord server where this conversation occurred are included below.

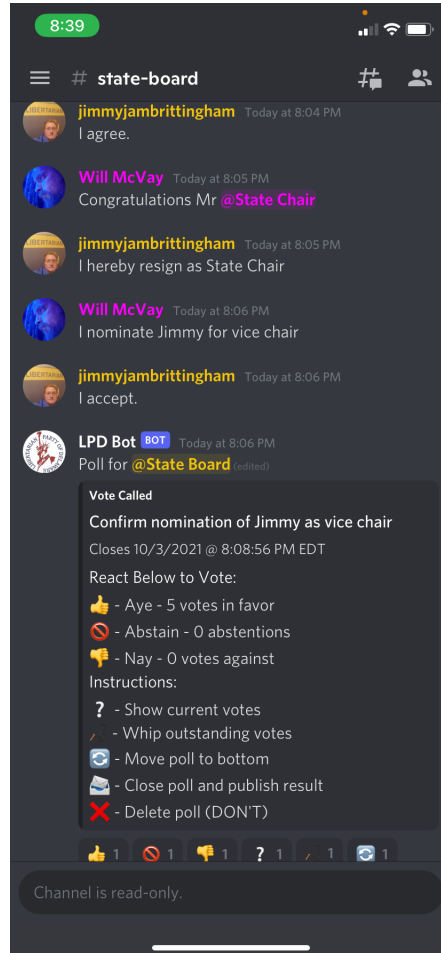
8:01 Will McVay moved to adopt the change to bylaw 4, as notified on Aug. 31.
8:01 Joe Dipasquale seconded
8:01 Quorum Called and completed using the Discord bot function
8:01 Will McVay- Point of Order "The quorum call has completed. Not calling the vote is dilatory. In the absence of the Chair, Vice Chair, and NCC Chair, under Bylaw 2, the Sussex Chair is the acting Chair and should rule on the point of order"
8:02 Jimmy Brittingham "Point of order is not well taken"
8:02 Mary Pat McVay "Appeal the ruling of the chair"
8:02 Brandi Kerchevall "Second"
8:02 Vote Called- Uphold the Ruling of the Chair 0-0-5
8:02 Vote Called- Adopt Bylaw Amendment 5-0-0
8:03 Will McVay "Jimmyjambrittingham, we should remove Bill Hinds, Amy L, and Dave Casey."
8:04 Jimmy Brittingham "I agree"
8:05 Will McVay "Congratulations Mr. Chair"
8:05 Jimmy Brittingham "I hereby resign as State Chair"
8:06 Will McVay "I nominate Jimmy for vice chair"
8:06 Jimmy Brittingham "I accept"
8:06 Vote Called- Confirm nomination of Jimmy as Vice Chair 5-0-0
8:06 Will McVay "Congratulations Jimmyjambrittingham"

At 8:07, a member proposed a bylaw amendment in the LPD Facebook group that would permit the State Board to have authority over nearly every activity at the local affiliate level up to and including authorizing who can and cannot be members (this is also included in Appendix 2).

At the culmination of this activity, Mr. McVay drafted a letter that falsely defames Bill Hinds, Amy LePore, and Dave Casey. No evidence of the claims contained in this letter are provided. The letter is provided as Appendix 6.







Appendix 1 Threats Against Membership

Repeated threats have been made by the Sussex County Chair and State Board Member, Jimmy Brittingham, to party members. It appears that his goal is to deter their membership in the county affiliate that he leads. We have included those screenshots.

Jimmy Brittingham
Heise doesn't know how to leave things alone. That's ok. Wait till he sees the new Sussex County Resolution that keeps out Mises Caucus members. He's really going to hit the ceiling!!

Jimmy Brittingham ▶ Libertarian Party of Delaware · Join
Sep 26 at 22:36 · 🌐

Some of the stuff that I'm going to post in here, some of you may not like. Just remember, your silly little antics and allegiance to a certain faction within the party have caused this. I've tried to be patient and fair with everyone, but there are going to be radical changes within the Sussex LPD, and those changes are not going to favor those whose allegiance is to a certain caucus within the party. I wish that it didn't have to come to this, but you all pushed me in this direction, and now as Chair for Sussex County, I'm going to show you all some bold messaging and bold action items!!

Most concerning is a current AOA amendment proposal that permits the State Board to rule over all aspects of the three County affiliates. This amendment would centralize all local authority for determining membership, officers, and AoA/bylaws to the State Board. This proposal was made in the LPD Facebook group by a known ally of the five co-conspirators, and it was posted at 8:07 PM on October 1 (1 minute after the attempted removal of Hinds, LePore, and Casey).

AoA Amendment, Append to Article V:

- 4. County affiliate membership shall be determined by membership in the LPD and residence in that county. No other membership criteria may expand or limit membership.
- 5. All county affiliates must hold monthly meetings open to all members with notice provided as to the time and location at least one week in advance. No business may be conducted by any county affiliate that does not provide transparency to the public and the opportunity to provide input to all members.

The State Board of the LPD reserves the right to adjudicate any issues in the county affiliates in order to ensure that all county affiliates reflect the highest ideals of the Libertarian Party. The State Board may take action including but not limited to:

- 1. Removal/Reappointment of County Officers
- 2. Veto of County Motions
- 3. Amending of County AoA or Bylaws
- 4. Reassignment of Responsibility for County Assets
- 5. Disaffiliation of the County

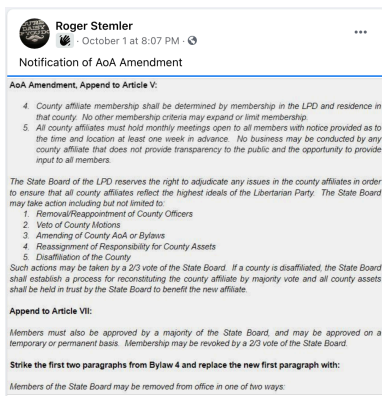
Such actions may be taken by a 2/3 vote of the State Board. If a county is disaffiliated, the State Board shall establish a process for reconstituting the county affiliate by majority vote and all county assets shall be held in trust by the State Board to benefit the new affiliate.

Append to Article VII:

Members must also be approved by a majority of the State Board, and may be approved on a temporary or permanent basis. Membership may be revoked by a 2/3 vote of the State Board.

Strike the first two paragraphs from Bylaw 4 and replace the new first paragraph with:

Members of the State Board may be removed from office in one of two ways:

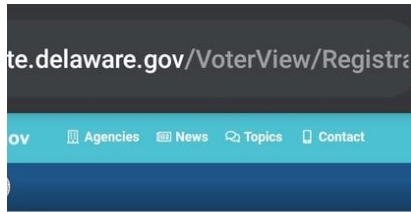


Lastly, it is unsettling and inappropriate to weaponize the AoA amendment process. Anyone seeing the image below would understand that this is made as a threat and ties directly to the proposed articles above. It is unclear why Mr. McVay chose to use the branding of his other political party to make this statement.

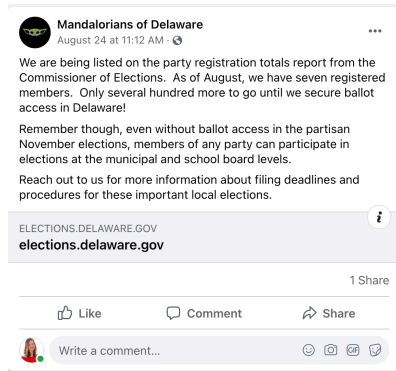


Appendix 2 Connections to Other Political Parties

Will McVay made it known publicly that he is actively seeking ballot access with a separate political party, the Mandalorians of Delaware. He has been transparent about his prioritization of the work with his new party over his work for the LP, as indicated in the posts and images below. While he boasts about the numerous political parties he has initiated, his effort on the Mandalorians has likely risen to the level of a conflict of interest.



Political Party	Status	Precinct	Absentee Ballots
MANDALORIANS	ACTIVE	34-07	None



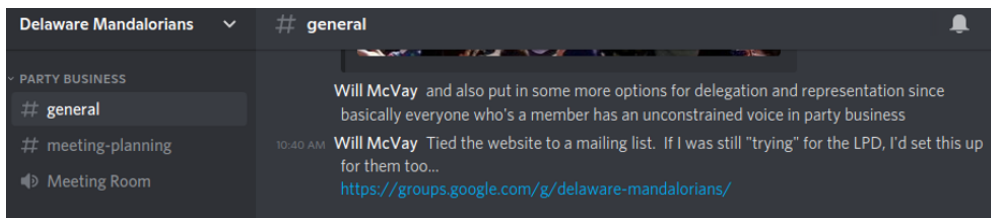
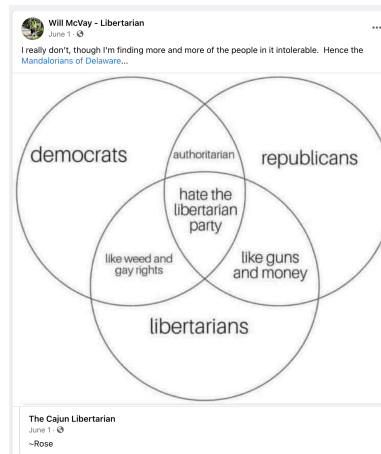
Brianna Coyle
1. Wtf is that party? It's real?
2. Why are you leaving the LP, if you don't mind me asking?

13w Like Reply



Will McVay
Brianna Coyle, it is real, it is the way.

13w Like Reply

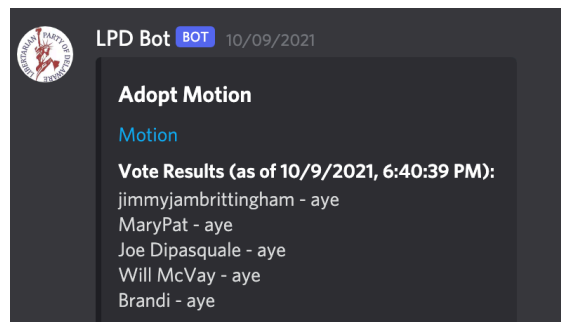
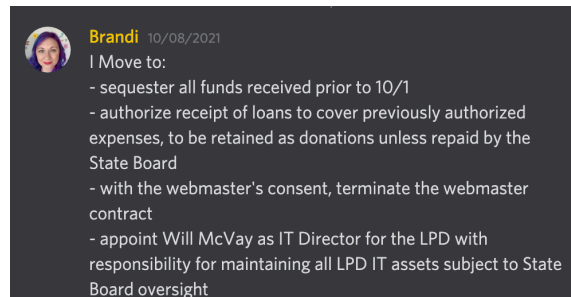


Several matters of concern have arisen related to his involvement with the Mandalorians. For example, on September 30th- the day before the unwarranted bylaw changes, Mr. McVay gave the Mandalorians of Delaware Party posting permissions into the LPD FB group.



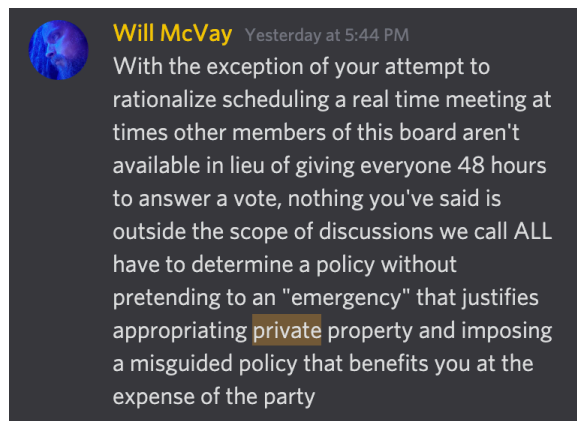
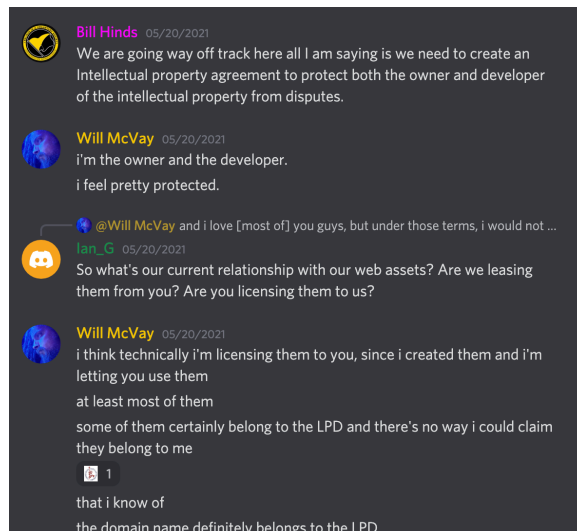
It also appears that of the five rogue actors, at least two may be working on behalf of the Mandalorians for Delaware party. It is most concerning that one of these people is Mary Pat McVay (screen name below mpdm1120), past Treasurer of the LPD and the sole person currently named on the LPD's bank accounts.

We have an additional concern regarding party funds. On October 8, a motion was made to sequester funds and to approve the receipt of loans. At this time, neither Bill Hinds nor Amy LePore nor the previous chair Sean Goward has ever seen a bank statement and cannot say with certainty that the financial reports are accurate. The vagueness of the language below is concerning at least.



Appendix 3 Claims of Private Ownership of LPD Assets

One of the ongoing challenges since the June 5 convention is that Mr. McVay claims to privately own the social media assets of the Libertarian Party of Delaware. The LPD has a Facebook page, a Facebook group, and a Twitter account. Mr. McVay states that because he initiated these accounts he owns them privately and he in turn licenses them back to the party. A thorough document review demonstrates no such agreement. While he is under contract as the webmaster, there is no mention of social media duties, no indication that he privately owns the party assets, and no reason to have sole administrative access. The fact that he has maintained sole administrative access has made it far easier for him to keep certain Board members out of these assets. We have included his relevant statements from our Discord server and a copy of his contract.



Will McVay Today at 6:23 PM
It really does though

Dylan Griffith Today at 6:26 PM
Your webmaster contract is not inclusive of social media, even without the policy violation you are still refusing the board access to it's property. I've been trying to work with you on things but I think this is an area where you are wrong.

Will McVay Today at 6:30 PM
Retaining administrative control over the social media assets operating under the party's name is absolutely within the scope of my duties
Always has been
And the executive committee has access
They have the ability to publish posts, which is the policy

@Will McVay Retaining administrative control over ...

Dylan Griffith Today at 6:32 PM
It is definitely not in your contract.

Will McVay Today at 6:32 PM
Such as it is

@Dylan Griffith It is definitely not in your contract.

Will McVay Today at 6:34 PM
It is.

Dylan Griffith Today at 6:35 PM
Even without the policy, they are the party's property and the party should have access to them. I don't want to argue with you here man, the POO is for the [@State Chair](#) to rule on now. You and I aren't going to accomplish anything.

Will McVay Today at 6:35 PM
They're the party's property? How do you figure that?
The name is the party's property, for sure

The name is the party's property, for sure

@Will McVay They're the party's property? How do...

Dylan Griffith Today at 6:36 PM
The Facebook is a verified page, who else's property would it be?

Will McVay Today at 6:36 PM
Who do you think verified it?

Dylan Griffith Today at 6:36 PM
Facebook

Will McVay Today at 6:36 PM
Me.

Dylan Griffith Today at 6:37 PM
You verified with Facebook that it was the "authentic presence" of the LPD

Will McVay Today at 6:37 PM
The verification is the party's property
Which it is

Dylan Griffith Today at 6:38 PM
So you are saying that because you created these pages, they belong to you alone?

Will McVay Today at 6:39 PM
I created them on my own initiative and have been an admin continuously since then. Before there was even a contract at all

Dylan Griffith Today at 6:40 PM
Who owns the page and group?

Will McVay Today at 6:40 PM
I do. They're licensed to the LPD.

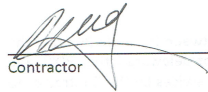
Libertarian Party of Delaware

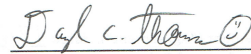
Agreement for Services

This agreement ("Agreement"), dated 17 Feb 2020, is by and between the State Board of the Libertarian Party of Delaware, on behalf of the Libertarian Party of Delaware ("the LPD"), and William McVay ("the Contractor"), and governs the provision of services by the Contractor to the LPD, on the terms and subject to the conditions set forth below:

- A. Consideration. In consideration of the services to be provided by the Contractor hereunder to the LPD, the Contractor shall be paid the sum of \$1 by the LPD on an annual basis for the duration of this Agreement.
- B. Duties and Responsibilities. The Contractor shall provide services to the LPD as a webmaster and shall perform such duties required by the LPD in that capacity. The relationship between the LPD and the Contractor shall be that of independent contractors, and no contract of employment is intended or created by this Agreement.
- C. Term. The term of this Agreement commenced on the date hereof and shall extend until such time as either the Contractor or the LPD elects to terminate it, either with or without cause, subject to the Contractor's obligations set forth in paragraph D hereof. [Any termination without cause shall require the terminating party to give 30 days written notice to the other party.]
- D. Non-Disclosure and LPD Property. In order to perform the duties required hereunder, the Contractor may be granted access to confidential information and property of the LPD material to the LPD's mission. The Contractor shall not disclose any such confidential information to any third party without the express written consent of the LPD. All such access is given subject to the discretion of the LPD, and such confidential information and property shall be surrendered to the LPD by the Contractor immediately upon request. Any legal costs incurred by the LPD to recover said information and property must be compensated by the Contractor as a breach of this Agreement.
- E. Severability. In the event a part of this Agreement is found void or unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain enforceable.
- F. Amendments. This Agreement contains the entire understanding of the parties and may not be amended or supplemented except by an instrument in writing signed by the parties.
- G. Governing Law. This Agreement shall be governed by the laws of the State of Delaware, without regard to choice of law principles.

In witness whereof, the parties have duly executed this Agreement as of the date set forth above.


Contractor


State Chair or Secretary
Libertarian Party of Delaware

Appendix 4 Resignation Letter of Sean Goward



LIBERTARIAN PARTY OF DELAWARE

April 30, 2021

Fellow Delaware Libertarians,

On Monday, April 26th, with long consideration and a heavy heart, I resigned my position as Chair of the Libertarian Party of Delaware (LPD). I owe it to each of you, to provide an explanation of my reasons, as I will not be conveying the state of the LPD at the 2021 Convention. When I sought nomination for Chair in 2017, my stated priorities were to grow the party, get more candidates on ballots, improve our support for candidates, mentor future leaders, and advocate for Libertarian Principles. Over the last four years, it has been my sincere honor to work with the State Board in overcoming challenges that at their worst, have threatened the existence of the LPD as we know it. Since wrapping up the Jorgenson/Cohen Campaign, though, the Board and I have held diametric and mutually exclusive views on a path forward for our party.

While growth is seldom a painless process, it is best undertaken by nourishing new relationships and creating an environment that respects basic dignity, past experience, and the ingenuity and enthusiasm of our newest members. When we take a proprietary approach to an organization over which we are only stewards for those we represent, we close off communication with and marginalize those who approach us to offer their time, money, and effort. Certain members of our board have *actively taken this proprietary approach, and others have condoned it with their silence*. Of those who have taken a more aggressive approach against our newer members, one has taken deliberate steps to censor and silence them, abusing the authority granted them by the board, and violating the principles on which we have built this party. While I have tried to address these issues, the silence of the other members of the board have made it clear to me, that I cannot address these problems adequately, nor can I suffer my conscience by continuing to Chair a board that is intent on continuing down this path.

It is my sincerest hope, that at the 2021 State Convention, that members of the LPD will elect a board that actively promotes principled growth and creates an environment where **all** of our members feel safe to express their ideas, bring them to their representatives, and volunteer themselves and their precious resources to the cause of spreading the message of Liberty, because if we don't, we will endure a legacy of mediocrity, and continue to struggle under the boot of a bloated and outmoded government.

Yours in Liberty,

A handwritten signature in black ink, appearing to read 'Sean L. Goward', written over a horizontal line.

Sean L. Goward
Former Chair
Libertarian Party of Delaware

Appendix 5 Meeting Minutes

As indicated below, the appropriate venue for discussion for board members about bylaw amendments is board meetings. In each month since the convention such discussion has been held. If board members were aware of the suggested language and were compelled to discuss it, some indication should have been given. It stands to reason that the ability of these same 5 members to shut down the September meeting gives them some plausible deniability in terms of a lack of discussion.

The minutes of the June, July, August, and September meeting follow this page.

LPD Monthly Meeting – June 2021 - Minutes

Attendance: Bill Hinds, Amy LePore, Dayl Thomas, Dave Casey, Dylan Griffith, Will McVay, Brandi Kerchevall, Joe Dipasquale. Jimmy Brittingham (late).

1. Meeting called to order at 19:05 EDT.
2. Will 1st, Joe 2nd to have a meeting. Quorum met
 - a. Discussion had on how to properly speak/mute oneself. Mary Pat was having technical issues.
 - b. Jimmy joined the meeting at 19:09 EDT. He was having technical difficulties too.
 - c. Mary Pat jumped off to switch to her phone at 19:10 EDT. Joined right back.
 - d. We lost Jimmy at 19:10 EDT.
 - e. Dayl was asked to turn off his video to help with lag issues.
3. Dayl 1st, Dylan 2nd to adopt the agenda. Passed 7-0-2-1.
 - a. Amy-aye
 - b. Dave-aye
 - c. Will-abstain
 - d. Mary-aye
 - e. Joe-aye
 - f. Dylan-aye
 - g. Brandi-aye
 - h. Dayl-aye
 - i. Jimmy-not present
 - j. Bill – abstain (Will pointed out that the chair needs to vote, even if he is abstaining).
4. Scheduling of LPD monthly business meetings
 - a. Bill shared that we have all come to an agreement that the 4th Monday of the month at 7pm on Discord is good to meet. Everyone agreed.
5. Scheduling of LPD quarterly Board meetings
 - a. Bill's recommendations: August 15th, November 14th, February 13th, and May 15th
6. Discussion had on August 15th. It didn't work for Dayl. August 22nd didn't work for Dylan. August 21st worked for everyone.
7. Bill suggested meeting NCC, Sussex, then Kent.

8. Will 1st to meet at 1pm at either McGlynn's in Pike Creek or Bill's house. Dave pointed out that he can't meet until 6pm due to his work. Will withdrew his motion.
9. Will 1st, Amy 2nd to meet at 6pm at either McGlynn's in Pike Creek or at Bill's house. Passed 8-0-1-1
 - a. Amy-aye
 - b. Dave-aye
 - c. Will-aye
 - d. Brandi-aye
 - e. Dayl-aye
 - f. Dylan-aye
 - g. Joe-aye
 - h. Mary Pat-aye
 - i. Bill-abstain
 - j. Jimmy-Not present
10. Joe asked how long the meetings go. Mary Pat said to set aside two hours.
11. Jimmy rejoined us at 19:28 EDT.
12. Review all committee memberships
 - a. SMM committee meets: When Bill asked what committees exist, Will pointed out it was fuzzy.
 - i. Historically, we have had a SMM committee, an AoA committee, and when needed, a convention committee.
 - ii. Bill asked the history of the SMM committee and how it relates to the AoA. Will shared the history.
 - iii. Amy asked if the AoA committee has been brought about and disbanded? Will corrected that the AoA committee has been more like an advisory committee. Discussion had
 1. Amy asked if we had any resolutions concerning these things. Dayl didn't know of any off the top of his head. Will said he might have a file, but would need to look at it.
 2. There was an AoA change up for review at the 2021 convention, we just haven't had a chance to adopt it yet.
 - a. Bill would like all of us to review those and we'll have an item on the agenda next month to vote on them.
 - b. Bill would also like to hear from LPD state board members if they have any ideas for AoA improvements.

3. Bill brought up that John Machurek is the SMM chair and no longer was registered as a Libertarian in Delaware, but had switched parties. Discussion had.
 - a. Bill said he would like to see six-month membership for county board members and one-year membership for state board members. Discussion had.
 - b. Bill reiterated that he wanted to have the AoA suggestions reviewed by all LPD board members.
13. Review the succession process for the LPD
 - a. Discussion had. Bill would like to have everyone contribute to this.
 - i. Amy brought up that it would be ideal to have a succession pamphlet for each LPD state board member. ACTION ITEM #3: Amy to work on this.
 - ii. Bill brought up that we would need to look at the AoA and possibly update it concerning this item.
 - iii. Bill also brought up that he has access to other state bylaws from Region 5 so that we can see what they have done and use what is best.
 - iv. Dayl given responsibilities to get death certificates and a letter from the LPD state board to help the succession process.
 1. Amy suggested that we should look at other state boards' bylaws.
 2. Mary Pat suggested looking at Robert's Rules.
 - b. Formal announcement of election results
14. ◦ Transference of all credentials
 - a. ♦ Financial account information to Chair and Treasurer
 - b. ♦ Information technology administrative accounts to Chair and IT Director, currently the IT Director is titled Webmaster
 - i. ACTION ITEM #3: Will to research and show what the funds are.
 - c. ♦ Social Media account information to Chair, Vice Chair and IT Director
 - i. Bill asked if we would need a new contract to change "Webmaster" to "IT Director".
 - ii. ACTION ITEM #3: Will and Dayl to work on wording of the IT/SMM contract, update it, and get it done.
15. 2022 Convention Planning

- a. Bill asked when convention planning is done. Mary Pat shared that it is usually done starting Q4 and for sure in Q1. Bill would like to start things sooner so that we can avoid animosities and issues.
- b. Bill brought up how each chair can make their own rules for conventions. Discussion had. Will shared that the only use of this was when Brad allowed online voting for this past convention.
- c. We have \$827.94 in the convention fund after paying off the 2021 convention. The convention did well. Not the most we have ever made, but pretty close.
 - i. Bill asked if we made a profit off the convention as a whole. Mary Pat shared that with all things considered, just a little bit.
- d. Mary Pat shared that we have the convention in March in election years and May/June in off/odd years. Discussion had.
 - i. Will brought up that we picked Pizzadili due to it being outside and due to the COVID-19 pandemic.
 1. Bill would like to have a scout committee. Dylan shared that as LPD doesn't need a standing scout committee due to Robert's Rule. Discussion had. Bill suggested Dayl being the scout committee lead. Will brought up that we as a state board can just scout and bring info back next month.
 - a. **ACTION ITEM #4**: LPD state board members to look for venues and report back to the LPD state board; also, the three county chairs to ask their respective members to look for and suggested places.
 2. Meeting for the quarterly meeting will forgo these monthly meetings.
 3. Dave brought up John Machurek being SMM chair. Discussion had.
 - a. Bill suggested looking at the NCCLP AoA for how NCCLP dealt with SMM/Data & Tech.
- e. Mary Pat 1st, Will 2nd to adjourn. Passed 9-0-1. Meeting adjourned at 20:39 EDT.
 - i. Amy-aye
 - ii. Dave-aye
 - iii. Dayl-aye
 - iv. Jimmy-aye
 - v. Brandi-aye

- vi. Dylan-aye
- vii. Joe-aye
- viii. Mary Pat-aye
- ix. Will-aye
- x. Bill-abstain

LPD Monthly Meeting – July 2021 - Minutes

- 1) Motion to meet
 - a) Amy 1st, Dayl 2nd to get started.
- 2) Roll call to determine quorum
 - a) Bill - Present
 - b) Amy - Present
 - c) Dayl - Present
 - d) Mary Pat - Present
 - e) Dave - Present
 - f) Dylan - Present
 - g) Will - Present
 - h) Brandi - Present
 - i) Joe - Present
 - j) Jimmy – Absent
 - i) Joe sent him a text.
 - k) Nine LPD members out of ten accounted for. We have quorum.
- 3) Call to order
 - a) Bill called the meeting to order at 19:03 EDT.
- 4) Approval of the agenda
 - a) Will brought up the agenda for all to view on Discord. It took some time. People had trouble viewing it. Dayl and Bill tried to share their screens, but people still couldn't see it. We skipped trying to share it and Dayl read them at Bill's asking. Dayl 1st, Amy 2nd to approve the agenda.
 - i) Bill -aye
 - ii) Amy – aye
 - iii) Dayl – aye
 - iv) Mary Pat – aye
 - v) Dave – aye
 - vi) Dylan – aye
 - vii) Will – aye
 - viii) Brandi -aye
 - ix) Joe – aye
 - x) Jimmy – absent (still working, will not be able to join us).
 - xi) Passed 9-0-0-1
- 5) Reading and approval of minutes
 - a) Mary Pat asked Dayl to update item 15.c. from “\$827.94 in profits from the 2021 convention” to “\$827.94 in the convention fund after paying off the 2021 convention”.
 - b) Joe 1st, Amy 2nd to approve the minutes
 - i) Bill – aye

- ii) Amy – aye
 - iii) Dayl – aye
 - iv) Mary Pat – aye
 - v) Dave – aye
 - vi) Dylan – aye
 - vii) Will – aye
 - viii) Brandi – aye
 - ix) Joe – aye
 - x) Jimmy – absent.
 - xi) Passed 9-0-0-1
- 6) LPD Board Status
- a) Statewide membership status
 - i) Discussion had
 - ii) LPD has 2162 registered voters as of Thursday, July 1st, 2021.
 - b) Statewide fundraising
 - i) We have about \$100 in monthly income.
 - (1) A donor had stopped their monthly donation, as it was up to about \$150 a month previously
 - ii) Bill 1st to have a meeting with the LPD executive board to go over who the LPD donors are and what their posture/donations is/are. Mary Pat mentioned that she already does this and sends each donor a thank you card or e-mail. Will suggested moving this discussion to Discord – state-board-private. Bill agreed and the motion died for lack of a second.
 - (1) Discussion on whether to reveal donors or not briefly continued until Will called orders of the day.
 - iii) Approve banking with Citizens Bank
 - (1) Bill asked if we need to take a vote and Will pointed out that we don't need to as it is in the purview of the LPD Treasurer. Mary Pat shared that once we started receiving fees at our last bank, she moved the LPD's money to another bank (Dover Federal Credit Union), no one in the party questioned it. She will go and check out Citizens Bank if that is what the LPD would like her to do.
 - (2) Bill stated that the problem of being charged fees by PayPal is being worked on and fixed by Mary Pat. Discussion had on what the board needs to and doesn't need to approve concerning where to bank.
 - (3) Joe asked through point of information if we can also do it through Venmo and Mary Pat said we could if someone could help her set it up.
 - (4) **ACTION ITEM #1**: Mary Pat to seek out Joe if she is unable to set up the Venmo account herself.
 - c) LP National activities

- i) This year is the 50th anniversary of the founding of the LP. National asked each state to send out a gift basket. Will asked Bill to firm up the details and that we discuss it on Discord.
- ii) **ACTION ITEM #2**: Members to donate and Amy to secure items and mail them out to Colorado.
- iii) LPDelaware AT googlegroups DOT com is the LPD state board distribution list, which is also public and anyone can join. It tracks and sends out information on the ad hoc votes. Will to put this in the state-board discord chat.
- iv) Bill mentioned the LP Region 5 affiliate and campaign training taking place in Norfolk, VA from July 31st, 2021 to August 1st, 2021.
 - (1) **ACTION ITEM #3**: Dayl to e-mail LP Region 8 affiliate and campaign training out TONIGHT!
- d) Other activities
 - i) Approve fund for discord bot in the cloud
 - (1) Bill asked if it has a cost and Will said that he needs to work on it, but most likely \$40/month.
 - (a) **ACTION ITEM #4**: Bill to add this to the agenda for next month (2021 Q3 Meeting on August 21st).
 1. It was discussed that \$30 was set aside for web hosting.
 2. Mary Pat shared that the LPD had about \$1400 in funds received from the 2021 LPD Convention (about \$600 +) and Day of Liberty (\$787).
 - a. We're also supposed to get more money from Pizzadili Winery, but Mary Pat is not sure where that money is coming from and Angela, the main lead at Pizzadili, has been very busy.
 3. Put on hold until next month.
- 7) County updates
 - a) KCLP
 - i) Have had decent attendance at meetings since convention
 - ii) Have passed some items that aligned with the resolution that Sussex passed regarding state bills.
 - iii) Working on their own AoA and Bylaws
 - iv) Moved to McGlynns in Dover
 - (1) Worked well in June, hope to be able to stay there
 - v) Started their own website as a subdomain of lpdelaware.org
 - (1) Will put up a donation button.
 - (2) News about this new website posted to Discord.
 - (a) **ACTION ITEM #5**: Will link the KCLP website link and the NCCLP website link to the main LPD website.
 - b) NCCLP

- i) Working on branding
 - (1) Working with Chris Velrath on this.
 - ii) Trying to have a big activity every month.
 - iii) Reggaeifest the end of this month and Weedstock next month.
 - (1) Joe offered to help with Weedstock. Dave thanked him. Times discussed.
 - iv) Making a Twitter and Instagram account.
 - v) Mad over \$300 at the NCCLP Summer BBQ on July 17th.
 - (1) Will have an end of the summer BBQ on August 28th, with a beer license, so can make more money.
- c) SCLP
- i) Last meeting, election held for Vice-Chair and Wendy Jones was elected.
 - (1) Also discussed the absence of a permeant treasurer (Will filling in)
 - ii) Apple Scrapple prep going on. The event is going on in October 9th (same as Region 8 training).
 - iii) Will have adopt-a-hwy clean up in August.
 - iv) Have a couple of new members!
- 8) **AoA and Bylaws**
- a) **Review of proposed amendments**
 - i) **Bill asked Dayl to take the lead on this, with Amy's help.**
 - ii) **We have a proposed Policy and Procedures Guide (PPG) to review**
 - iii) **There was a motion previously made to amend Article 6 of the LPD AoA (see item 8.a.vi just below).**
 - iv) **LPD Social Media & Messaging Policy**
 - v) **Amy noted that there were a series of items on the AoA report.**
 - (1) **Mary Pat asked if these were posted anywhere else besides the LPD Executive Board. Bill shared that the ones ready for primetime (30-day review time) have been posted on Facebook by Dayl. Dayl corrected this by saying they had been posted by Amy.**
 - (a) **Amy asked that we only focus on the items where notification has been given. Bill did so.**
 - (2) **Amy then gave an update on the proposed amendments to Article 6 of the LPD AoA.**
 - vi) **Very long discussion had on how to word contracts (2 years only vs. ending contracts with each board; including kill switches to contracts and 30-day-notices to those performing duties, etc.)**
 - (1) **ACTION ITEM #6: Amy, Will, and Dayl to work on wording of contracts amendment.**
- 9) Review specific officer roles and responsibilities
 - a) Bill to share the wording for the following positions so that they can be reviewed and discussed at next month's meeting:
 - i) Webmaster

- ii) Treasurer
- iii) Secretary
- 10) Social media policy framework discussion
 - a) Update Facebook group moderators to current board
 - i) Bill asked that we wait to this current meeting to do so and Will agree, discussing accountability (via administrator logs) and having more moderators available.
 - ii) Will 1st, Dayl 2nd to update Facebook group moderators to current board.
 - (1) Amy stated that they needed to go, but stayed to hear the discussion on the motion.
 - (2) Will brought up the wording about a posting that was found to be vulgar and how Bill deleted said posting. Will stated that we need to follow the rules concerning deleting post but that the vulgar comment didn't break the rules. It was agreed that we would discuss this further. Further discussion had.
 - (3) Amy and Dylan left the meeting due to having to attend another meeting at 20:20 EDT. Quorum still retained with seven LPD members.
 - (4) Brandi also had to leave and left at 20:22 EDT. Quorum still retained with six LPD members.
 - (5) Discussion had on SMM rules set a few years ago. Joe read the four rules. They are as follows
 - (a) Rule #1: No Promotions or Spam
 - (i) Give more than you take to this group. Self-promotion, spam and irrelevant links aren't allowed. Candidate posts are exempted from the "self-promotion" restriction.
 - (b) Rule #2: Honesty
 - (i) Posts that are demonstrably false and misrepresent readily known facts, particularly those with the intention or effect of appropriating the Libertarian Party brand, will be subject to removal.
 - (c) Rule #3: Read the Room
 - (i) We try to maintain an open forum and not to limit posts, but please read the room. If you are blowing up group notifications with posts that do not generate responses, check yourself.
 - (d) Rule #4: Personal Attacks:
 - (i) Generally speaking we should be attacking the argument not the person, but this will especially be enforced for attacks against individuals who are not public figures or group members.
 - (e) Rule 3 was Bill's justification for removing the comment to the vulgar post. Will made the counterpoint that "not reading the room" as found in Rule 3 was what James Ogle violated when he kept

- posting items about something he cared deeply about but that no one else on the group did and repeatedly said so to James Ogle.
- (f) Dave shared that he liked Rule 3, but that it was very vague.
 - (g) Bill suggested adding an amendment that covers vulgarity and profanity
 - (h) Dave and Will had a good discussion on free speech, supporting free speech, and how to decide to set up a rule to remove something bad that doesn't create a loop of posting and removing.
 - (i) Bill read a rule from Delaware Politics about graphic violence as guidance for a new rule. Discussion had.
 - (j) A new rule, Rule #5: Catch All, will be added.
- (6) Getting back to the motion made in item in 10.a.ii, here are the vote results:
- (a) Bill – aye
 - (b) Amy - absent
 - (c) Dayl -aye
 - (d) Mary Pat – aye
 - (e) Dave – aye
 - (f) Dylan - absent
 - (g) Will – aye
 - (h) Brandi – absent
 - (i) Jimmy – absent
 - (j) Joe – aye
 - (k) Passed 6-0-0-5.
- 11) Announcements & upcoming events
- a) Dayl brought up the need to write apology cards for our speakers that didn't get to speak at the 2021 LPD Convention due to us running overtime.
 - i) Will shared that he reached out to everyone and apologized. Dayl then asked if we as a board should do something official. Mary Pat shared that what Will has done is enough, being a member of the board. Dayl thanked Will publicly for the notes he had written, but continued to ask if we would still like to do anything as a whole board. Discussion had. Bill suggested doing thank you cards instead of apology cards. Mary Pat shared that we could still write something along the lines of the following: we apologize that you didn't get to speak because we ran out of time.
 - (1) **ACTION ITEM #7**: Dayl to get thank you cards and addresses. Mary Pat has plenty of stamps. Everyone to sign them at the various state and county meetings.
 - b) Will updated the Facebook moderators to all 10 board members and put in wording for the new Rule 5: Catch All. The wording is as follows:

- i) The Moderation Team reserves the right to remove any content not conducive to the mission of the LPD. The full Moderation Team will review any such removals and content can be restored if necessary.
 - c) Bill asked that we hide unwanted comments instead of deleting them. Discussion had. It was pointed out that we want to hide comments, as we can't hide posts.
 - i) It was discovered that only administrators can undelete posts.
 - ii) Joe brought up that he couldn't find the hide button, even after clicking on specific posts. Will pointed out that only comments can be hidden, not posts.
 - iii) Bill brought up an idea about the catch all, but he cut out of the feed, as did everyone else except for Will. Orders of the day were called by Bill once everyone was able to hear everyone else speak. Bill asked that we add something to the new Rule #5 to the effect that "repeat offenders must have their posts approved by moderators". Dave felt that this was showing our hand too much. He suggested instead that we add something to the effect that "we reserve the right to boot anyone from our group", in the spirit of property rights. Will explained that we have done this sort of thing already, we just haven't sorted out the penalties. Will then gave examples again, including James Ogle. He turned on post approval for such posters for 30 days, which can be repeated as long as necessary or desired. Dave felt that Will made the right move regarding posts from James Ogles and others that did not read the room and/or were incessant with their inappropriate posts.
 - iv) Dayl made a point of personal privilege concerning not being able to hear the audio. Will shared that the recording of the meeting will be up on YouTube.
- 12) Adjournment.
- a) Bill 1st, Dayl 2nd to adjourn.
 - (1) Bill - aye
 - (2) Amy - absent
 - (3) Dayl - aye
 - (4) Mary Pat - aye
 - (5) Dave - aye
 - (6) Dylan - absent
 - (7) Will - aye
 - (8) Brandi - absent
 - (9) Jimmy - absent
 - (10) Joe - aye
 - (11) Passed 6-0-0-5
 - b) We adjourned at 20:49 EDT.

LPD Q3 August 2021 Meeting Minutes

- 1 Call to order: Call to order made at 18:02.
 - 1.a Will 1st, Mary Pat 2nd to adopt a variant agenda with time limits and the rearranging of items.
 - 1.b Bill – aye
 - 1.c Amy- aye
 - 1.d Dayl – abstain
 - 1.e Mary Pat – aye
 - 1.f Dave – aye
 - 1.g Dylan – aye
 - 1.h Will – aye
 - 1.i Aarika – aye
 - 1.j Wendy (Jimmy’s proxy) – aye
 - 1.k Joe – aye
 - 1.l Passed 9-0-1.
- 2 Roll Call.
 - 2.a Because there was a vote, it was seen that we had roll call already.
- 3 Reading and approval of minutes.
 - 3.a Will made a motion to wave the reading of the minutes.
 - 3.b Dayl made a point of order (POO) sharing that there were two sets up minutes sent out, the Q2 2021 minutes and the July 2021 Monthly State Board Meeting minutes.
 - 3.c Due to this, Will withdrew his motion to wave the reading of the minutes.
 - 3.d Will 1st Mary Pat 2nd to adopt both.
 - 3.e Bill – aye
 - 3.f Amy – aye
 - 3.g Dayl – abstain
 - 3.h Mary Pat – aye
 - 3.i Dave – aye
 - 3.j Dylan – aye
 - 3.k Will – aye
 - 3.l Aarika – aye
 - 3.m Wendy – aye
 - 3.n Joe – aye
 - 3.o Passed 9-0-1.
- 4 Reports of officers
 - 4.a Treasure:
 - 4.a.i \$3523.23 in the bank. See LPD Treasure’s report for more details.
 - 4.b Secretary:
 - 4.b.i Dayl apologized for being late with the minutes (submitted before this meeting, but only by a little bit).

4.b.ii Dayl also shared that he brought thank you cards to send to our guests for the convention.

4.b.iii He also shared that he got gifts and a thank you card (donations in kind) for Mr. Rick Jensen and Mr. Randy Dascher for their support of the LPD. These actions were well received by everyone.

4.c Chair:

4.c.i Bill reported on numbers

i.1 SCLP: lost 1 registered LP voter total. 470 currently in the county.

i.2 NCCLP: lost 11 registered LP voter total. 1240 currently in the county.

i.3 KCLP: lost 2 registered LP voter total. 423 currently in the county.

4.d Vice Chair: Amy shared the following:

4.d.i Just how good Rick and Randy of WDEL have been to us.

4.d.ii The NCCLP is trying to get someone out of Afghanistan; a new members' translator friend.

4.d.iii Let's get the LPD sharing more on the Rick Jensen show.

5 AoA and Bylaws

5.a Will 1st, Amy 2nd to adopt the amendment written by Carter Hill and shared on Discord and notified on Facebook. Article 9, Section 1 change.

a.i Amy – aye

a.ii Dayl – aye

a.iii Mary Pat – aye

a.iv Dave – aye

a.v Dylan- aye a.vi

Will – aye

a.vii Aarika – aye

a.viii Wendy – aye

a.ix Joe – aye

a.x Bill – abstain

a.xi Passed 9-0-1.

5.b Vote on Committee Change

b.i Will 1st, Aarika 2nd to adopt a slightly modified AoA Article VI item 11 from what was shared. Discussion ensued.

i.1 Original notification: Establish standing or special committees and codify their duties, composition, and reporting requirements.

i.2 2nd notification: Establish temporary standing or special committees for no more than two years except by an amendment to these Articles.

b.ii Amy 1st, Dave 2nd to amend the motion to add the words, and codify their duties, compositions, and reporting requirements. This would be tacked on to the end of the Will's modified AoA Article VI item 11.

- ii.1 Amy – aye
 - ii.2 Dayl – aye
 - ii.3 Mary Pat – aye
 - ii.4 Dave – aye
 - ii.5 Dylan – aye
 - ii.6 Will – aye
 - ii.7 Aarika – aye
 - ii.8 Wendy – aye
 - ii.9 Joe – aye
 - ii.10 Bill – abstain.
 - ii.11 Passed 9-0-1.
- b.iii Now voting on the amended amendment. Needs 2/3 to pass due to what was voted in the amendment written by Carter Hill and shared on Discord and notified on Facebook. Article 9, Section 1
- changed. Amy – aye iii.2
- Dayl – aye iii.3
 - Mary Pat – aye iii.4
 - Dave – aye iii.5
 - Dylan – aye iii.6
 - Will – aye iii.7
 - Aarika – aye iii.8
 - Wendy – aye iii.9
 - Joe – aye
 - iii.10 Bill – abstain
 - iii.11 Passed 9-0-1.
- 5.c Vote on Bylaw Notifications
- c.i Will 1st, Mary Pat 2nd to vote on an amended bylaw changes, for Bylaw #7. The wording is different than what was notified:
 - i.1 Original notification: Addition to by-laws. The State Board may not enter any contract exceeding two years between the start and end dates of the agreement. The State Chair or Secretary may sign approved contracts on behalf of the State Board.
 - i.2 Will's amendment: Bylaw 7. The State Board may not enter into any labor contract that does not allow the Party to terminate it given at least 30 days notice without penalty. The State Chair or Secretary may sign approved contracts on behalf of the State board.
 - i.3 Dayl made a point of personal privilege (PPP) for a recess of 5 minutes to review the language. Bill as chair granted Dayl's request. Recess started at 18:44 EDT.
 - 3.a Discussion held during recess.
 - i.4 Meeting reconvened at 18:49 EDT
 - i.5 Dayl 1st, Dylan 2nd to extend time by 10 minutes.

- 5.a Amy – aye
 - 5.b Dayl – aye
 - 5.c Mary Pat – nay
 - 5.d Dave – aye
 - 5.e Dylan – nay
 - 5.f Will – nay
 - 5.g Aarika – nay
 - 5.h Wendy – nay
 - 5.i Joe – nay
 - 5.j Bill – abstain
 - 5.k Failed 3-6-1. Orders of the day to finish the main
- c.ii Amy – nay
 - c.iii Dayl – nay
 - c.iv Mary Pat – aye
 - c.v Dave – nay
 - c.vi Dylan – nay
 - c.vii Will – aye
 - c.viii Aarika – aye
 - c.ix Wendy – aye
 - c.x Joe – aye
 - c.xi Bill – nay
 - c.xii Fails
- 6 Introduce Policy and Procedures (PPG)
- 6.a Discussion had on this. The LPD will vote on it once the 30-day notification passes.
- 7 BCP questionnaires
- 7.a In order to help keep knowledge learned within the LPD and to be able to pass it on to future officers, Bill asked that the LPD Secretary, LPD Treasurer, and LPD Webmaster fill out Business Continuity Papers (BCP) questionnaires.
 - 7.b Secretary
 - b.i Dayl had not yet completed his questionnaire and asked for forgiveness and clemency, given his busy schedule.
 - b.ii Will asked for a 5 minute recess. Granted by Bill as Chair.
 - b.iii Mary Pat shared during the recess that Spike Cohen got his wine, but has yet to be reimbursed by the LPD.
 - b.iv Meeting reconvened at 19:06 EDT.
 - 7.c Treasurer
 - c.i Mary Pat read her answers to the questionnaire Bill gave. Some discussion had on individual answers.
 - 7.d Webmaster
 - d.i Will handed his to Bill.
- 8 Announcements
- 8.a FILL IN

- 8.b Bill asked if the counties reached out to registered LP members (FILL IN).
- 8.c Dayl mentioned about Wendy becoming SCLP vice chair and Vern becoming SCLP treasurer.
- 8.d Dave made a personal point of privilege, granted by Bill, to share about the medical freedom protest.
- 8.e Dylan also shared what Carter had asked him about NCCLP social media growth.
- 9 Upcoming Events
 - 9.a NCCLP BBQ 8/28
 - 9.b Apple Scrapple 10/8-9
 - b.i Jimmy Brittingham has been in touch with the event organizers. SCLP has a booth. SCLP will only be there on Saturday the 9th because political organizations cannot be there on Friday the 8th per event rules.
 - 9.c Region 8 Campaign training Newark NJ 10/9-10
 - 9.d Other TBD
 - d.i Discussion had on where to meet for the next quarterly meeting (Q4 2021). It was shared that Bill and Dayl had hoped to meet in the three various counties. Some members of the LPD state board felt that this was too much of a burden and suggested meeting in Kent County exclusively or meeting online, as we do for the monthly LPD state board meetings.
 - d.ii Tabled on where and when to meet for the Sept. 2021 LPD Meeting.
- 10 Adjournment.
 - 10.a Mary Pat 1st, Dayl 2nd to adjourned. We adjourned at 19:40 EDT.

Appendix 6 Will McVay's October 1st Letter



STATE BOARD TURNOVER

At an online meeting of the LPD State Board a change was adopted to our bylaws regarding disciplinary policy to enable 2/3 of our county chairs to remove a member of the State Board rather than the previous 4/5 requirement among all State Board members. Board members judged that a body is poorly suited to police itself without an outside source of accountability and that the 4/5 requirement was too difficult to surmount when dealing with multiple board members who were disruptive, disrespectful, incompetent, dishonest, or otherwise compromising to the mission of the LPD.

Pursuant to this new process, State Chair Bill Hinds, Vice Chair Amy LePore, and New Castle County State Board Representative Dave Casey were removed from the State Board.

State Chair Bill Hinds was elected in an uncontested campaign based on false pretenses. He failed to disclose factional allegiances within the national party that do not suit the alignment interests of the LPD. Furthermore, in his brief tenure as Chair, he has demonstrated a tendency towards making unilateral decisions without consulting the Board; failure to understand his role and responsibilities to the Party and to the Board; and has comported himself on social media in a way that portrayed the LPD in a negative light. He has held his factional interests higher than those of the LPD to our detriment.

Vice Chair Amy LePore was also elected under false pretenses. Not only did she also fail to openly disclose her factional allegiances, but she remains the state coordinator for one such organization despite assurances that she would resign that position upon being elected Vice Chair. This compromises her neutrality as an officer of the state party and calls her integrity into question. Not only is the organization itself a divisive presence within the LP nationally, but it has also recently suffered a string of public relations setbacks including the suspension of its Facebook group for hate speech; failure to comply with Federal Election Commission regulations; and being named as a defendant in a lawsuit for defamation and invasion of privacy, all of which reflect poorly on the LPD having a Vice Chair who is the state coordinator for that organization.

NCC State Board Representative Dave Casey has subjected LPD members to a long string of abuses beginning even before his tenure within the party. His confrontational and disrespectful attitude elevated to the level of hurling personal insults at party members, Board members, and their families. He has done so on social media in a way incompatible with his obligations to the Party and abusive of his position. His continued presence on the State Board portrays the LPD in a negative light and obstructs progress on the business of the Party.

The Libertarian Party is founded on a philosophy of openness and transparency. It is a difficult decision to exercise another fundamental part of the philosophy and choose to voluntarily disassociate from individuals who are not aligned to our goals. Presenting our philosophy in the most positive light possible in order to appeal to voters across the political spectrum who are not comfortable in their own parties is difficult under the best of circumstances. Doing so while members of the State Board obstruct or actively subvert those goals is impossible.

We are a small party, so to turn away willing volunteers is no easy decision, yet when those volunteers create a hostile environment it discourages new volunteers and demoralizes existing ones. The LPD wishes to grow in numbers and influence, but growing numbers in the wrong directions detracts from rather than enhancing our influence. Sometimes we must tell people who are not conducive to our mission that they are not a good fit for leadership in our party.

New officers have been selected by the remaining members of the State Board, in accordance with our bylaws, to replace the State Chair and Vice Chair. The New Castle County affiliate will be charged with the task of replacing their representative, though further action is pending to ensure that all of the LPD's county affiliates are governed in accordance with the highest ideals of Libertarian principles. Under the bylaws pertaining to succession and the filling of vacancies, the Board has designated Will McVay to serve as State Chair with James Brittingham to serve as Vice Chair.

APPENDIX C – SUPPLEMENT DATED NOVEMBER 6, 2021

November 5th, 2021

Dear Members of the Libertarian National Committee,

As a follow-up to my last communication I am providing this additional packet of information. The situation in Delaware continues to devolve and your attention to this matter is of critical importance so that we can assure our membership that we are on solid footing.

While operating fraudulently as the Libertarian Party of Delaware, Will McVay, Mary Pat McVay, Brandi Kerchevall, Joseph Dipasquale, and Jimmy Brittingham are working to disenfranchise affiliates and members. The impact of their actions is to confuse and deceive members and to ruin the brand of the Libertarian Party in Delaware.

The document that follows contains information about the following occurrences:

- Will McVay, Mary Pat McVay, Brandi Kerchevall, Joseph Dipasquale, and Jimmy Brittingham, operating as the fraudulent board, have passed an AoA amendment to Article V that centralizes all power in the hands of a State Board. The language it includes permits the state board to determine who is worthy to be a member of the Libertarian Party of Delaware, permits them to depose county affiliate officers, and to take county affiliate assets.
- On October 31st, the parties listed above employed their new powers under Article V and claim to have disaffiliated the New Castle County affiliate.
- On November 1st, the fraudulent board passed a motion to limit to a list of 20, people who are permitted to participate in the Libertarian Party of Delaware and its affiliates.

Their behavior has given way to confusion among members and a genuine feeling of disenfranchisement. Despite the fact that they are not the rightful board, their actions are having a devastating impact on the brand of the Libertarian Party in Delaware.

I understand that it is my job and the job of the remaining members of the rightful board to straighten out this embarrassing mess in Delaware. We are hard at work and taking steps to honor the will of our members. While we do not have an explicit action that we want the committee to take against the rogue actors, I need your continued support in my role as Chair. Making public what is true, that I am the Chair, Amy LePore is the Vice Chair, and that Dave Casey and Dylan Griffith are representatives to the Board would go along way in giving confidence to our membership that we can move forward. We require their faith and confidence as we proceed with the upcoming special meeting, investigation, and potential trial and as we pursue legal avenues.

The initial document sent to the LNC and the information that follows this letter should offer more than sufficient evidence of the fraudulent behavior of the five parties. I do not believe that this matter should wait until the 4th of December. The attempt at disenfranchisement of members statewide should be sufficient reason for the LNC to remind those acting as a fraudulent board that the LPD does not belong to them. I am happy to provide any additional information and to answer any questions. I look forward to your response.

Sincerely,

Bill Hinds

As indicated in our prior documentation, a proposal for change to Article V was notified in the LPD Facebook on October 1st at 8:07PM, one minute after the three board members allegedly were relieved of their state board duties. The State Board passed the amendment during an ad-hoc meeting on October 31st linked to [here](#). The revised Article V reads:

Article V: County Affiliates

Each of the three counties shall organize local chapters of the LPD. These county chapters may develop, if they choose, their own Articles of Association, By-Laws, and Political Platforms as long as they meet the following criteria:

1. They do not conflict with any State LPD operating documents,
2. They provide an equitable method for selecting members of the State Board, and
3. Separate individuals must be Chair and Secretary.
4. County affiliate membership shall be determined by membership in the LPD and residence in that county. No other membership criteria may expand or limit membership.
5. All county affiliates must hold monthly meetings open to all members with notice provided as to the time and location at least one week in advance. No business may be conducted by any county affiliate that does not provide transparency to the public and the opportunity to provide input to all members.

The State Board reserves the right to adjudicate any issues in the county affiliates in order to ensure that all county affiliates reflect the highest ideals of the Libertarian Party. The State Board may take action including but not limited to:

1. Removal/Reappointment of County Officers
2. Veto of County Motions
3. Amending of County AoA or Bylaws
4. Reassignment of Responsibility for County Assets
5. Disaffiliation of the County


Such actions may be taken by a 2/3 vote of the State Board. If a county is disaffiliated, the State Board shall establish a process for reconstituting the county affiliate by majority vote and all county assets shall be held in trust by the State Board to benefit the new affiliate.


On October 31st, a post was made on the Libertarian Party of Delaware Facebook page that stated the Libertarian Party of New Castle County has been disaffiliated. Obviously, the fraudulent board does not have the power to disaffiliate but their actions do compromise the LPD, given that they have stolen all social media assets and control at least a portion of the narrative regarding which boards are legitimate. They have gone further to name a Chair and a Secretary and have assigned those two people to State Board roles. New Castle County is by far the most populous and most active of the three Delaware counties and their attempt to delegitimize it cannot stand. NCC's membership includes multiple candidates for office in 2022 and has an active outreach arm with events held multiple times per month. Its members are actively engaged in legislative work and in community coalition building.





Mr. McVay and his followers have gone a step further than disaffiliation, making an official list by board vote of those members who are considered approved to participate in the “Libertarian Party of Delaware” and at the affiliate level. On November 1 a list of only 20 people was created and passed by motion, in accordance with the amended Article V. Three of the 20 people listed are minors aged 4, 9 and 12. Of the Kent County members listed only the three minors and one other individual actively attend meetings. Of the New Castle County members listed, only five actively attend meetings. All officers from New Castle County were omitted from the list. Anyone known to have spoken out about what has happened was also omitted from the list.


Per Will McVay, and according to the meeting linked to above, every member of the Libertarian party of Delaware was expelled on November 1. The only way to be permitted to participate is to be vetted and approved by State Board members. This poses an interesting problem to the parties claiming to operate as the State Board, given that they would have conceivably expelled themselves and therefore cannot claim to operate as the officers of the party at this point.


 @Will McVay Technically everyone was expelled...


 **lan_G** Today at 1:01 PM
Okay. But I was asking why I was expelled. If you don't believe I'm entitled to an answer, please say so.


 **Will McVay** Today at 1:01 PM
Technically everyone was expelled
Because the membership criteria changed


 @Wendy Jones, SCLP I wasn't personally inv...


 **lan_G** Today at 1:03 PM
If the purpose was to weed out trolls, why throw everyone out? Why not just the trolls? Are all 2,000 members trolls?


 @Will McVay Because the membership criter...


 **lan_G** Today at 1:03 PM
To what?


 **Will McVay** Today at 1:04 PM
The purpose was to make affiliation a proactive decision on both sides

 **Will McVay** Today at 1:14 PM
You can be rejected for any number of reasons by a majority vote of the State Board. It's free association.

 **Will McVay** 11/04/2021
You're portraying a loaded representation about appropriate and inappropriate affiliations that you're making up entirely and presumptions of "guilt" which has no relation at all to the issue. The party follows the principles of free association in both directions in that they have to make an affirmative decision to approve voting members. People acting in bad faith can't comply with impersonal and easily manipulated requirements and brute force themselves into control of the party
If you want to be approved as a voting member, contribute positively without being a shit stirrer and I'm sure the board will vote in your favor
👍 1

 @Will McVay I don't agree, and think claiming otherwise would qualify ...

 **lan_G** 11/04/2021
Disagreeing with you is shit stirring is what you're saying?

 **Will McVay** 11/04/2021
Only when I'm right.


 **Joe Dipasquale** Yesterday at 3:18 PM
I motion the following be approved for permanent membership to the lpd.

Vern Proctor
Roger Stemler
Bob Sigler

Leo Smith
Nadine Frost
Brad Thomas
Steve Newton
Dayl Thomas
Scott Gesty
Carol Moore
Mark Parks
David Rogers
Cody McNutt

Bob Wilson
Tim Spong
Margie McKeown
Susan McKeown
Layla Webb
Julia McVay
Tesla Webb



 **LPD Bot** BOT Yesterday at 8:15 PM

Approve Members

[Member List](#)

Vote Results (as of 11/1/2021, 8:17:52 PM):

Machurek - aye
boyslayer01 - aye
Joe Dipasquale - aye
Brandi - aye
MaryPat - aye
jimmyjambrittingham - aye
Will McVay - aye

The membership of Kent and New Castle County affiliates have passed resolutions repudiating the five members involved and have called for investigations at every level. New Castle has also asked for an investigation into the participation of John Machurek and Nicole Shaw. We have included the resolutions below.



RESOLUTION TO CONDEMN FAILED PARTY PURGE

WHEREAS, on October 1, 2021, a purge of three duly-elected Libertarian Party of Delaware (LPDE) board members was attempted.

WHEREAS, working in concert, state board members Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay tried to remove Bill Hinds, Amy Lepore, and Dave Casey from the LPDE board after claiming to pass a bylaw amendment that allowed them to do so.

WHEREAS, the alleged bylaw amendment notification made 30 days before the vote to adopt it cannot syntactically be interpreted as such, it fails as appropriate notification. Even if it could be read in this manner, the ad hoc meeting called suddenly to vote on its adoption was also not properly notified. A motion was made by a board member and seconded, so it may be said that a meeting was indeed convened, but absent proper/timely notification to all board members, the substance of the meeting is nullified. Thus, the action taken by this subset of the state board is considered doubly dead on arrival.

RESOLVED, after careful examination of the facts, the Kent County Libertarian Party of Delaware (KCLP) has determined that this action was a procedural failure in several key respects and recognizes its outcome as void.

RESOLVED, that this body unequivocally rejects the notion that the composition of the state board has changed (with the exception of the party secretary's resignation on 9/27) since its officers were duly-elected at the most recent party convention in June 2021.

RESOLVED, the KCLP will not recognize any changes made at the behest of the illegitimate board now claiming to have authority. Further, the KCLP believes the manner in which this action was conducted was grossly unethical. And, where the current possession of the party's financial and communication assets are concerned, the action may even have been illegal.

RESOLVED, the KCLP urges Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay to suspend their illegitimate board activities, join us in the condemnation of this action, and resign from their leadership roles immediately so that this entire farce may be considered a quickly corrected lapse in judgement or the product of being lead astray by malevolent actors.

RESOLVED, that a special three-person committee to investigate KCLP officers Will McVay, Mary Pat McVay, and Brandi Kerchevall's involvement in this matter be convened immediately. This process should be done via nomination and simple majority vote of the body to confirm.

RESOLVED, that this resolution, in its entirety, be posted without comment on the KCLP's website and social media channels by the chair within 48 hours of its passing.



NEW CASTLE COUNTY
T LIBERTARIAN PARTY

WHEREAS, on October 1, 2021, a purge of three duly-elected Libertarian Party of Delaware (LPDE) board members was attempted.

WHEREAS, working in concert, state board members Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay tried to remove Bill Hinds, Amy Lepore, and Dave Casey from the LPDE board after claiming to pass a bylaw amendment that allowed them to do so.

WHEREAS, the alleged bylaw amendment notification made 30 days before the vote to adopt it cannot syntactically be interpreted as such, it fails as appropriate notification. Even if it could be read in this manner, the ad hoc meeting called suddenly to vote on its adoption was also not properly notified. A motion was made by a board member and seconded, so it may be said that a meeting was indeed convened, but absent proper/timely notification to all board members, the substance of the meeting is nullified. Thus, the action taken by this subset of the state board is considered doubly dead on arrival.

WHEREAS, John Machurek and Nicole Shaw have assumed illegitimate LPNCC officer positions.

RESOLVED, after careful examination of the facts, the New Castle County Libertarian Party of Delaware (NCCLP) has determined that this action was a procedural failure in several key respects and recognizes its outcome as void.

RESOLVED, that this body unequivocally rejects the notion that the composition of the state board has changed (with the exception of the party secretary's resignation on 9/27) since its officers were duly-elected at the most recent party convention in June 2021.

RESOLVED, the NCCLP will not recognize any changes made at the behest of the illegitimate board now claiming to have authority. Further, the NCCLP believes the manner in which this action was conducted was grossly unethical. And, where the current possession of the party's financial and communication assets are concerned, the action may even have been illegal.

RESOLVED, the NCCLP urges Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, Mary Pat McVay, John Machurek, and Nicole Shaw to suspend their illegitimate board activities, join us in the condemnation of this action, and resign from their roles immediately so that this entire farce may be considered a quickly corrected lapse in judgement or the product of being lead astray by malevolent actors.

RESOLVED, that NCCLP supports the investigation now being conducted by the Kent County Libertarian Party of Delaware and also calls upon the State Board to hold a special meeting to investigate and correct these illegitimate actions.

RESOLVED, that this resolution, in its entirety, be posted without comment on the NCCLP's website and social media channels by the chair within 48 hours of its passing.

APPENDIX D – LETTER DATED NOVEMBER 10, 2021

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10 November 2021

From: Jess McVay

To: Susan Hogarth

Dear Susan:

My name is Jess McVay. I don't think we have met before but I believe you are acquainted with my wife and son, Mary Pat and Will. I am not directly involved in this recent dispute over who rightfully controls the State Board of Delaware and its assets, but as you might imagine, sharing a last name with two of the principals and opposing their actions in the strongest possible terms, I feel compelled to write. A more conventional letter might start by lamenting how much it pains me to involve myself in this matter in light of the family relationships involved, but I must confess that at this moment, I do not feel any such pain. I am Will's dad. I love my son, but I hate what he did. As for the pain, I fully anticipate that some day in the not too distant future, I will feel the full weight of that burden. But as for now, there is an urgent problem in Delaware that must be addressed. There will be time for family considerations later. In the meantime, I am trying, though occasionally failing, to temper my actions, in anticipation of the difficulties my position may introduce into these relationships. Principles must be defended, often at great cost, and sometimes even when it involves conflict with family.

I wish to express my outrage at the travesty that is unfolding in Delaware and demand action from the Libertarian National Committee. Some bad actors in Delaware, led by my son, are perverting justice, robbing Delaware Libertarians of their rights, and embarrassing Libertarians all over the country, not just in Delaware. One of my earliest reactions upon learning of what was happening was that somewhere in America, James Weeks is dancing again. When our ideological adversaries want to argue how ridiculous we are as a political force, they will no longer invoke the name of James Weeks. From now on, Will McVay will be the poster child for their derision. Great news for Mr Weeks, and perhaps, contrary to what you might expect, great news for Will as well. Will likes attention. For those on the Libertarian National Committee who have a responsibility to preserve the reputation of the Libertarian Party, this incident poses both an obstacle and an opportunity. I think the reason it's an obstacle is obvious. It would take too much time and sidetrack the purpose of this letter to recount the myriad of injuries that Will has visited upon the party, its image, and its Delaware membership, a few specific members in particular. I'll leave it to the principals in this matter to make that case. They have been working diligently to assemble the evidence that will inform the jury, so to speak, and compel them to act in favor of Chairman Hinds and his Board. My goal with this letter is to persuade the Committee that it has an opportunity, and more importantly, an urgent responsibility to see justice done, restore integrity in Delaware, and not incidentally in the process, to protect the Party's image throughout the nation. In the process it must also censure those who have demonstrated such contempt for both justice and integrity and who, with a casual disregard for the optics of their actions, have seriously jeopardized the Party's reputation.

So who the hell am I, and why should the LNC care? I am one of the nation's small L libertarians, and I am watching. To be honest, I am presently one of the nation's less committed libertarians, at least these days. I used to be more committed. I've been an active member of the Party in Delaware since roughly 2010. Over the years I've helped directly with campaigns, actively raised and contributed money, and held positions on the State Board. I've been a delegate to national conventions, helped plan

state conventions, and I even represented the Party as a candidate for governor several years ago. But lately I have become disillusioned. I was uninspired by the Party's 2020 candidate and more recently, I was disappointed by the Party's tepid response to COVID policy and social media censorship. It would be no exaggeration to say that I felt as politically homeless inside the Libertarian Party as I had felt outside it prior to 2010. Currently, I am a registered Libertarian once again, but I am not confident that I will remain one indefinitely. I have many friends in the party, but I'm not convinced the Libertarian Party is the answer to promoting liberty in America. Delaware is the bluest of blue states, and the LPD's success in Delaware consists of little else beyond showing the flag. The National LP seems distant, impotent, and more and more irrelevant to me with every passing day. And yet, despite all this, I came back. I'm back, but I'm not sure how long I'll be staying. I'm just like thousands and thousands of other big L Libertarians and small L libertarians across the nation, and we are watching.

In making any future decisions whether to stay or go, I do know how I will judge the Party going forward. A clue resides in the Pinned Tweet that I placed on my Twitter feed way back in February 2021, long before all this business happened. It's a brief reflection. Not borrowed from anyone else, but my own composition.

Not Victory

Not Wealth

Not Love

Not Peace

Oddly enough, not even Liberty

#Justice

Justice was important to me then. Justice is important to me now. The search for Justice is the only reason I am bothering to write this letter. I'm writing because there are victims of injustice, not because those victims happen to belong to the Mises Caucus. Most victims of injustice are far removed from the world I live in. I am often helpless to assist them. But these Delaware victims are close to home, and they are friends of mine. The fact that my family members are responsible for their victimization imposes an even greater duty on me to support them. My reasons have very little to do with the Libertarian Party of Delaware. Despite a long association with the LPD, I'm not enthusiastic about their prospects for political success. And my reasons are certainly not about the National LP. They are just a means to an end. They are the one institution that has it in their power to see justice done if they're up to the task that is. If they're even willing to try. I'm not sure I'll be sticking around the Libertarian Party after this go round. At this point, it's kind of up to the party to prove they're worthy of my support. If this was a job interview, I'd be the one asking the questions to see if we're a good fit, not the other way around. I can tell you one thing with certainty. I say this dispassionately and with no anger and no malice. If the LP can't fix this, the Party is dead to me. As I said before, I am watching. Big L and small L libertarians just like me all over the country are watching.

I am not a member of the Mises Caucus, but I have many friends within that group, some old, and some new. My son will state in public and occasionally for the podcast cameras that the coup he initiated, though he won't call it a coup, has nothing to do with the Mises Caucus. He'll claim it has to do with obstruction and gridlock on the Board, with misunderstandings about Board members' affiliations, and

about protecting the social media image of the Delaware Party. But he'll insist it has nothing to do with the Mises Caucus. That's simply not true. I am Williams father. I am greatly saddened and a bit perplexed by his recent actions, but I can tell you one thing with certainty. This is absolutely about the Mises Caucus. I don't think that factionalism within a state board is a bad thing, and even if it is, it's a normal thing. For the past decade or so, the Delaware Board did not know factionalism. They were a close knit group of like minded friends with the common goal of more Liberty. In 2021, that changed. It became more factional, just like hundreds of other political party boards all over the country. The goal was still Liberty, but now there were different views on how best to pursue it. Normal boards develop ways to deal with factionalism. Indeed, why would boards resort to formats like Robert's Rules if not as an acknowledgment that factionalism exists, and it can be dealt with reasonably. There are ways to coexist with fellow Libertarians who may not agree with you on everything. You approach them with good faith and an open mind. You don't murder them while they sleep.

A week or so after all this started I called Will. I figured that despite my anger over what he'd done, I owed him a rational conversation on the subject. I tried to talk him off this ledge he was on. I focused on things like ethics and integrity, and most of all on Justice. He listened patiently to my arguments. I hoped I was getting through to him. I began to speculate on possible outcomes and whether any of the party leadership would permit him to continue an active role after what he'd done. I doubted it, and I told him so. When I was done he responded. He wasn't going to quit. He asked me why I ever thought he would. He said he thought he could win. Naturally, his response disappointed me. It reminded me of the story of Stalin's response to a French diplomat who suggested that Stalin stop his persecution of Russian Catholics. Stalin asked the diplomat how many divisions the Pope had. This wasn't about ethics to Will. This was about power. At that point the phone conversation ended. In the days that followed, Will seems to have become even more determined to persist. Two nights ago, gloating and surrounded by a few of his supporters and co-conspirators, he declared to me, confidently, assertively, and arrogantly, that it was already over. He had already won. I hope he is wrong. Delaware needs the LNC's help to make it so.

As normal and reasonable as factionalism is on a State Board, there is no place for politics in the adjudication of this dispute. I worry that the LNC will deal with this as a political matter rather than a judicial one. I'm afraid that the factional affiliations of the Committee members will override whatever commitment they may have to defending our reputation as the Party of Principle. But my concerns notwithstanding, this is the venue in which this portion of the dispute must be resolved. I feel I must emphasize that any and all decisions and judgments that are made must be made on the basis of ethical and procedural considerations, and those decisions must be seen to have been made free of political or factional influences or interventions. I have expressed concerns on my social media pages about the ability of the LNC to take the politics out of this issue and resolve it on its merits. The Committee's recent performance in New Hampshire does not exactly inspire confidence, and as I've already stated, (Cue broken record) Libertarians will be watching.

High minded values like Justice aside for a moment, there are some other more mundane, more pedestrian, more political, reasons to fix this problem quickly. Many in the media don't care about Libertarians, but what if the media chose to tell this story. What if, for instance, comedian and popular podcaster Dave Smith chose to highlight it? What if that brought it to the attention of outlets like Reason Magazine or Kennedy Nation? What if on some slow news day in the future, Tucker Carlson or Lester Holt ran the story to ridicule the Party and fill a five minute news segment or two? How does the LNC want that story to end? "This crazy stuff happened, and the LP did nothing except let it fester", or "The LP acted swiftly and fixed the problem." If this burlesque show performance in Delaware is allowed to succeed, we will see repeats of these destructive and distracting sideshows.

Indeed, some would suggest that this episode is not the first, but is itself the repeat. The circumstances strangely resemble those in New Hampshire several months ago. This is a pretty good example of “History does not repeat, but it rhymes.” It's almost as if there was some larger organized plan afoot that is bigger than just Will McVay. If anyone is concerned about the Party's image or even the Party's survival, that should be terrifying. Libertarians are watching. Soon, the whole nation could be watching.

I have always been told that if you're trying to persuade someone to do something, don't neglect at some point to directly ask them to do it. Candidates might spend twenty minutes on a stump speech giving the voters all the reasons in the world why they should put their trust in that candidate and then never actually ask them for their vote.

I won't make that mistake. Here's what I'm asking for:

I'm asking the Committee to recognize that Bill Hinds is the rightful Chairman of the Libertarian Party of Delaware. He was duly elected to that position by a majority of those present at the State Convention in June 2021.

I'm asking the Committee to recognize that Amy LePore is the rightful Vice Chairman of the Libertarian Party of Delaware. She was duly elected to that position by a majority of those present at the State Convention in June 2021.

I'm asking the Committee to recognize that Dave Casey may be an asshole, but he's our asshole, and he is also a rightful Representative to the State Board from Newcastle County. He was duly elected by the members of the Newcastle County Libertarian Party to represent them on the State Board.

I'm asking the Committee to recognize that Dylan Griffith is a rightful Representative to the State Board from Newcastle County. He was duly elected by the members of the Newcastle County Libertarian Party to represent them on the State Board.

I'm asking the Committee to declare that none of the actions undertaken by Will McVay or any of his proxies from 1 October 2021 to the present are recognized by the National LP because they did not have proper recognized authority to perform those actions. This includes but is not limited to the Discord meeting held on 1 October and the Zoom call held on 31 October. Their actions are all declared invalid. This includes, but is not limited to all changes to By-laws or Articles of Association, all member and officer expulsions, all Board appointments made during this time period, all County Party disaffiliations, the de-credentialing of all 2161 (as of 1 November 2021) Delaware Libertarians as eligible voting party members, all the selective member re-credentialing, especially those of Will's co-conspirators and allies, all appointments of County level officers and State Board Representatives, the assignment of administrator privileges of all State and County level electronic assets, to Will McVay, and the vetoing of any county level resolutions by the illegitimate State Board, in particular those passed in Kent County where Will is County Chair where Will was rebuked and an investigation of his actions called for. Further, the Committee should state publicly and unequivocally that the basis for these decisions is judicial and procedural.

I'm asking the Committee to censure Will McVay for his recent actions. Further, the Committee should state publicly and unequivocally that the basis for this censure is the Committee's determination that his actions were grotesquely unethical and that they showed utter disregard of the Party's reputation and its commitment to remaining the Party of Principle. Further, that Will McVay, as part of this censure,

shall not be credentialed as a delegate to the 2022 LP convention from Delaware or any other state.

I'm asking the Committee to give serious consideration to expanding that censure to other members of Mr. McVay's cabal whose behavior you determine warrants such censure.

I'm asking the Committee to declare that should any dispute arise in regard to credentialing delegates to the LP National Convention in 2022, the Committee commits to recognizing the delegates endorsed by the duly elected State Board of the LPD as constituted in accordance with the above requested Committee actions and currently Chaired by Mr. Hinds.

I'm asking the Committee to commit to assisting the duly elected State Board in their efforts to recover their ballot access in Delaware.

I'm asking the Committee to commit to assisting the duly elected State Board in their efforts to recover access to their social media accounts to include, at the very least, directing all traffic initiated through the National Libertarian Party site to the appropriate sites of the duly elected State Board of Delaware.

In conclusion:

They say there are two sides to every story. That's true here too.

One side is pursuing justice.
That side has right on their side, and they can show you all the receipts
That side has acted ethically and with integrity

The other side just wants to win.

Thank you Susan.

Feel free to contact me if there are any questions via any of the various venues listed above.
Please help us Obiwan...

Yours in Liberty,

Jess McVay

APPENDIX E – LETTER DATED NOVEMBER 17, 2021

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17 November 2021

From: Sean L. Goward
Former Chair
Libertarian Party of Delaware

To: Susan Hogarth
Representative (Region 5)
Libertarian National Committee

Mrs. Hogarth,

Per our discussion earlier today, I wanted to set down in writing some objective thoughts regarding the recent activities of certain members of the State Board of the Libertarian Party of Delaware.

1. Bylaw 4 of the original Articles of Association (AoA) was proposed, voted on and enacted by the body of the 2018 State Convention of the Libertarian Party of Delaware. This bylaw was changed by the State Board during a special meeting to allow for the removal of three members of the Board elected at the 2021 Convention. This Bylaw enacted a 4/5th requirement for a board to remove one of its own members.
2. Bylaw 3, Subpart B of the original AoA states: "Conventions and State Board meetings shall be conducted in accordance with Robert's Rules of Order (RONR) except where superseded by these Articles and Bylaws.
3. RONR, Chapter XVI, §49, 49:7 states: "In any event, no action of the board can alter or conflict with any decision made by the assembly of the society, and any such action of the board is null and void. [...]"
4. RONR, Chapter XVIII, §56, 56:41 further states: "A board may never alter a decision of the society's assembly (and an executive committee may never alter a decision of either the assembly or the board), even by a motion to *Rescind* or *Amend Something Previously Adopted* or by adoption of a proposal which has been rejected, unless expressly authorized by the superior body of by the bylaws.
5. Even though Bylaw 5, Subpart A states that the bylaws may be amended by a simple majority of the board, the lack of specificity required by RONR, the principle in RONR that the Board is subordinate to the Convention, and the explicit intent of RONR that the Board cannot contravene the will of the body, prohibits the actions taken on 1 October 2021, and any subsequent actions.
6. The same principles above also nullify the illegal change to AOA Article VII, stating that "Members must also be approved by a majority of the State Board and may be approved on a temporary or permanent basis."

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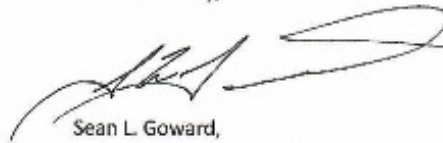
17 November 2021

I understand that the LNC is in a precarious position as it aligns with the value held by previous LPD Boards, that County chapters are independent of the State, and that the State is independent from the National Party, and that it would be improper for the LNC to interfere with the business of a State Affiliate. That being said, the elected representatives of every organization have a responsibility to protect its members. In one fell swoop, these bad actors, claiming to be the State Board of the Libertarian Party of Delaware have attempted to revoke the membership of 2,161 registered Libertarians as well as 69 Sustaining Members of the National Party. The blatant and public actions of these individuals have demonstrated a deliberate intent to fraudulently deprive its own members of rights recognized by the AoA. I stand with Mr. Hinds and Dr. LePore in asking the LNC to recognize the legitimate Board of the LPD through the administrative processes available to the LNC staff, and honor the results of the multiple disciplinary processes currently underway in Kent and New Castle counties. I would further ask that the LNC consider a few other options:

1. Suspending membership for cause for the five individuals involved, and prohibiting them from being credentialed as delegates for any state at the 2022 National Convention, pending the conclusion of local disciplinary processes.
2. Provide a letter of recognition of Mr. Bill Hinds and Mr. Dylan Griffith as Chair and Secretary Pro Tem respectively, addressed to the Delaware Commissioner of Elections as well as the Delaware Board of Elections. This will be necessary to assist in preventing confusion regarding the nomination of candidates and filing appropriate Certificates of Nomination.
3. Asking Oliver Hall to act in his capacity as LNC Special Counsel, to provide any requested legal counsel to Mr. Hinds and Dr. LePore.
4. Make an unequivocal statement condemning the actions of the five individuals involved in fraudulently cutting out duly elected members of the State Board.

I want to thank you, as well as the other members of the LNC for your time and consideration.

Yours in Liberty,



Sean L. Goward,
Former Chair (2017-2021)
Libertarian Party of Delaware

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APPENDIX F – LETTER DATED NOVEMBER 11, 2021

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November 11, 2021

Members of the LNC (with copies to all State Chairs and public posting on social media):

I see that you now have the packet of information forwarded by the legitimate Board of the LPDE as well. I do hope you review it carefully. I read Ms. Hogarth's summary on the public list, and it was clear in what it laid out, but left out far too much. Mr. Longstreth's response that the LNC should stay out of it (the worst possible solution) is understandable in light of her summary. Because if all Ms. Hogarth said was all there was important to be said (which should be included in a brief summary), the LNC would have NO option but to disaffiliate. Why?

- 1. Affiliates are allowed to have horribly flawed bylaws**
- 2. If members exploit horribly flawed Bylaws but do it within their own rules, the LNC has NO business in interfering**
- 3. If the actions taken properly under horribly flawed Bylaws so offend the sensibilities of the LNC to the extent it harms the Party (particularly if it harms the national members in LPDE which were not mentioned at all specifically in her summary), the only option is the nuclear one.**

HOWEVER, even though one could get the impression that all of the above was true from Ms. Hogarth's summary, only the first point is true. The LPDE has horribly flawed bylaws.

However, absent from Ms. Hogarth's summary was all of the details that would refute point number 2. McVay and his merry band of tyrants did not follow their own rules. Here is another list (not even comprehensive) of how they did not:

- 1. There was not proper notice of a proposed Bylaws amendment**
 - a. Not just anyone rando member can give proper notice, it either has to be the body that has the power to actually amend whatever is being given notice of or its very publicly appointed representative. This was just an ordinary member.
 - i. Not only was this member not a proper person to give a proper notice, it wasn't even worded as a notice of anything but as a question about whether or not at some point the Bylaws should be amendment, i.e., "Bylaws Amendment?"
 - b. The defective Notice was then purposefully buried by Mr. McVay constituting his defeat of it as an actual Notice even if it was done validly, which it was not.
- 2. The alleged Bylaws amendment was not passed at a properly noticed meeting**
 - a. This was not a regular meeting of the Board but a special meeting, and since the LPDE adopted RONR, proper notice is required.
 - i. Notice of mere minutes, at most, was given, and was only given by tagging board members in Discord. RONR requires notice of *days* that would also have to include the very specific topics to be addressed at such special meeting.

1

3. Despite the LNC’s own rank abuse of due process, the LPDE Bylaws also require a trial and due process to remove officers (unintended consequences of the LNC’s own malfeasance is now hurting affiliates)¹

- a. The language of the terms of office for officers are for a specific period of time and thus under RONR, just like under the National Bylaws, all of the protections of a trial are required.

There was no lawful exploitation of flawed Bylaws. It was all done completely outside of their rules and thus **void ab initio**.

Thus, contrary to Mr. Longstreth, this is absolutely NOTHING like Oregon and everything like New Hampshire. Further contrary to Mr. Longstreth, his statement that the New Hampshire affiliate worked it out for themselves is false and offensive. If anyone doubts me, ask the Board of New Hampshire themselves. False statements should not be posted on the LNC list.

Because of the facts above, disaffiliation should not be even entering into this discussion. The LNC is making this far too complicated and breaking what should be their own presuppositions of the “franchise model” as Ms. Hogarth put it. Affiliates have regular conventions at which new boards are elected. The presumption is that those new boards are the duly elected representatives recognized by the LNC. This just happened in June in Delaware. Anyone who disputes that has the burden of proof. Instead, the LNC has just taken as a given Mr. McVay’s claim and is treating both “sides” as if they have equal claims with equal burdens. They do not. The board elected at convention is the Board until proven otherwise. All the LNC has to do is **continue to recognize and assist that board – perhaps by providing a letter to that board legitimately like Mr. Bishop-Henchman gave to Ms. Jarvis illegitimately**. Mr. McVay has never presented any proof to the contrary nor ever asked the LNC to recognize his proof.

All that needs to be decided at this meeting is to direct the Chair to provide whatever documentation the legitimate Board needs to gain control of its assets and its property. If Mr. McVay wishes to dispute that they are the legitimate Board, he can make a special request to the LNC to do so, which he has not done. The precedent that the LNC is now setting is that it will treat as equal contenders any coup-masters with duly elected officers at convention, and frankly, that is obscene and abusive to the affiliates.

I find it also very telling that there was a concerted effort not to mention what this is REALLY about. This is yet another organized effort to disenfranchise people because some people do not like what caucus they belong to and to continue to slander wide swaths of the party with offensive slurs. I would be highly offended by this no matter what caucus was at play here but for the LNC to completely ignore what is going on here is more than improper. This is going on in other states right now. And the fact that in a former vote, the current National Chair said “I

¹ This is not the only instance by the way, but the LNC will have to be facing its own example of oppressive “speech codes” being used to throw out factional opponents in affiliate boards as it was on the LNC. This is happening right now in Massachusetts.

can see no valid reason to disaffiliate [New Hampshire] but cannot bring myself to vote no” in combination with this silence on what is the real motivation for what is going on is making many affiliates understandably uneasy, including my home state of Colorado (a top ten affiliate). Further, Ms. Hogarth is a member of a caucus that in huge part decided to be silent on my unjust suspension simply because they didn’t like a caucus I was friendly with (not even a member of) – the same caucus at issue here. The LNC needs to speak up that these ideological purges of Libertarians who hold to the core principles in the Statement of Principles needs to stop and that “mean words” are not violations of the NAP. Massachusetts has already expelled a member on that exact premise and is preparing to expel more. It is hard for the LNC to do that when they are also guilty, but there is no time like the present to start doing what is right.

Now apart from my brief summary of the issues above to supplement that provided by Ms. Hogarth, my jaw dropped to read that an at-large representative actually admitted that they went out of their way to learn nothing about this situation until now. This has been going on at critical velocity since October. It is NOT just up to a regional representative to investigate. It is up to the at-larges to do so as well as they **represent the entire membership**. Waiting until November to first learn anything is a gross dereliction of duty of officers and at-large members that have learned nothing. The only ones that have good reason to stay out is other regional representatives if that is what their region desires. I know that the Party Chair has not been in the dark, but I have little to no idea if any of the other officers or at-larges have been, only the astounding admission by Mr. Longstreth that he has kept himself purposefully ignorant.

From what I understand from my discussions with Delaware, Ms. Hogarth has been on top of this properly, but it is not only her responsibility. I kept on top of it during the period of the illegitimate suspension and will continue to do so for as I made clear, I do not recognize the authority of a rogue LNC with dirty hands to discharge me, and I will continue to unofficially perform every single one of my duties that I can within my power. I serve the delegates and the Party, and contrary to assertions made by the LNC, the LNC is not the Party. And part of my duties is assisting in protecting affiliates.

In Liberty,
Caryn Ann Harlos
LNC Secretary in Exile, duly elected by delegates

APPENDIX G – RESPONSE TO LNC

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Statement to the LNC Regarding Changes in the Delaware Affiliate

We are the rightful State Board of the regularly organized and constituted Libertarian Party of Delaware. By now you have heard that this claim is disputed by the former Chair, Bill Hinds, who was elected at our most recent convention on June 5th and who was then removed. We can only hope that the emails informing you of this dispute have been polite and we do apologize that you have been dragged into this conflict at all. The fact is, we are not looking to the LNC for arbitration. Under the Bylaws of the Libertarian Party under Article 5.5 we do not recognize that you have any authority to interfere with our autonomy unless you choose to disaffiliate us for an alleged violation of the Statement of Principles or another provision of the Bylaws.

No such violations have taken place.

While the Bylaws of the Libertarian Party permit no remedy but disaffiliation, you do still have some power over us. We do not wish to be disaffiliated. Nor do we wish for our relationship with the National Party to deteriorate to the point that we are constructively disaffiliated. We rely on the link to our affiliate and the promotion of our conventions on the National website to refer prospective members to our party. We rely on the National Party for our email service and utilize the CRM application both to confirm membership eligibility in our affiliate and to aid in outreach to those who may be interested in becoming more involved. We would also like our voice to be recognized, however small it may be, within our Region and at the upcoming National Convention in Reno. To an extent this constructive disaffiliation has already begun with the illegitimate election of Otto Dassing as the alternate representative for our region after Susan Hogarth prompted the other Chairs of the region to pass an invalid motion disqualifying our vote at a [Regional Meeting on October 11th](#).

Mr. Hinds has relied on the four out of nine members of the Board, as it was previously constituted, who refuse to accept the outcome of the removal process to animate his claim to continue in the Chair position. These numbers are insufficient to establish a quorum to conduct any business or even to issue a call for our annual convention. In order for Mr. Hinds' putative Board to exist as more than a defunct relic, he has made the claim that those of us who effected his removal have "constructively resigned" from the Party. This would conveniently give his cadre of four hailing from only one of our three counties full control of a hypothetical organization holding no assets but the sympathy of internet trolls.

This “constructive resignation” concept was raised as recently as June during the conflict in the LPNH, and was resoundingly rejected from all corners of the LP, including the LNC itself and the investigatory committee it formed to examine the LPNH situation. Mr. Hinds does not have to acknowledge his removal and may pretend to be the State Chair for as long as he likes, but he does not have the unilateral authority to deem duly elected members of his Board to have “constructively resigned” with no basis in our governing documents or anywhere else except for actions taken in line with those documents to remove him. The convoluted logic of this concept is what motivated the LNC to constructively disaffiliate the splinter organization and affirm its recognition of the LPNH. It should not be turned on its head to recognize Mr. Hinds.

Make no mistake though, we will persist in spite of disaffiliation, whether it is implied and gradual or explicit and immediate. We have complied with our own governing documents and the applicable laws of our State. A [copy of our governing documents from prior to the 10/1 changes](#), along with a [transcript of the 10/1 meeting](#), and a [link to the 8/31 notification](#) underpinning that meeting demonstrates this compliance.

Complaints have been raised about the validity of the initial notification and the process followed to adopt that amendment. These complaints are not based on the requirements enumerated in our governing documents or the established precedents universally accepted prior to these events. Nevertheless there is a pending notification for a further amendment that would also allow for the removal of these subversive Board members. Our regular quarterly meeting has been [scheduled and notified in the usual manner for 11/20](#) where adopting this amendment and ratifying all prior actions begins the proposed agenda. A link to video of the 11/20 meeting will be made available after its conclusion, and the [10/21 notification](#) addressed at the beginning of that video will further show our good faith attempts and ability to affect these changes in our Party in compliance with our governing documents and applicable parliamentary procedures.

As Mr. Hall may remember, 3-4 years ago we dealt with another attempt to usurp our Party and compromise our ballot access. In light of those events, we made modifications to our governing documents explicitly allowing us to discipline and remove members of our affiliate who were violating our state and county rules in order to restore peace in our Party. Even as we made these adjustments, we were aware of another avenue through which those meaning us harm could usurp and take over our party by nominally legitimate means. This is a loophole we did not close to our detriment.

Opinions will vary, but it is our determination that such a takeover was partially successful at our June convention this year. Members of an organization engaged in an explicit and publicly declared operation to take over the Libertarian Party took control of several elected positions within our state affiliate after a determinative number of new members with no prior connection to the party flooded our convention. Historically speaking, when these take over efforts succeed in other state affiliates, the priority is to immediately assume control of the affiliate’s social media assets and begin a program of messaging designed to alienate any moderate elements within the Party and drive away prospective converts to our philosophy. Our experience was no different.

Only 40% of our 10 Board seats fell to this effort, but the pattern held in that their first priority was to secure control of our social media assets and to do so in such a way that assuming unilateral control of them and no longer holding themselves accountable to the Board or the Party as a whole would be a trivial effort, one costly or impossible to undo. The mechanisms for pursuing this goal ranged from invalid orders issued by a State Chair without the authority to make such demands to equally invalid last minute calls for “emergency” meetings where opposing members of the Board would be unable to resist a temporary majority aiming to modify our existing and long standing policies.

After four months of these efforts and a deteriorating climate in the other aspects of the Party’s operations, a decision was made by the five Board members committed to resisting these takeover efforts. We would find a way, within our governing documents, to take our party back.

We formulated a plan and we executed it. We will not claim it was an ideal solution. We will not claim it was nice, polite, or would have been our first choice under better circumstances, but we determined that it was necessary and that the greater evil would be to allow the efforts of the volunteers who came before us in establishing and building the Libertarian Party of Delaware to succumb to this takeover, and our methods were no worse than those employed by the other side. Ours were just more effective and more successful.

In doing so, and in doing so consistent with the governing documents of our organization, we remain the same continuous organization that was affiliated with the National Party before October 1st. We also remain the regularly organized and constituted statewide governing authority of our Party according to the State of Delaware, charged by State Law with nominating candidates for ballot access in partisan elections.

We do not wish to be disaffiliated from the National Party, but if you should choose to do so anyway you will not “restore” the Libertarian Party of Delaware to its expelled leadership. You will surrender your ballot qualified affiliate and charge yourselves with chartering and building a new one from scratch.

This would not be a trivial exercise. Ballot access in Delaware costs the LP nothing under the stewardship of the Libertarian Party of Delaware. Reestablishing it, however, would not be so easy, especially with an existing Libertarian party severed from any obligations to the National organization dogging your heels.

We are not your enemies. Please do not make us one.

*Note: The above statement was adopted unanimously by the State Board of the LPD, as it is currently composed, with 8 people following the replacement of the two NCC representatives and the replacement of Jimmy Brittingham as Sussex representative, as he is now the Vice Chair. The Secretary position is still vacant following the resignation of Dayl Thomas on September 27th and the Chair, Will McVay, is still a Kent representative pending his replacement at the upcoming Kent meeting on November 15th. **Please note the explicit denial that the LNC has any authority to adjudicate this matter. The Libertarian Party of Delaware is an independent organization with no legally binding relationship to the LNC save for a mutually consensual affiliation agreement. We reserve the right to disaffiliate ourselves if unwelcome interference violating the National Bylaws should occur.** All information provided herein is for the purposes of telling the truth about what happened from a first person perspective to correct misinformation being spread by those who are either ignorant or dishonest. What follows is a refutation of the issues raised and presented as "evidence" by Bill Hinds who, lacking a quorum for his rump "Board" can only speak for himself and his allies rather than the LPD as a whole. The undisputed Kent and Sussex representatives, as well as the LPD Treasurer, do not recognize his "Board", and absent a secretary comprise a majority of the Board members. These responses, however, are from the State Chair, Will McVay, alone and were not included in the above motion.*

Beginning at the top of Mr. Hinds' "evidence packet", as necessary:

- The LNC does not have the authority to "recognize" the State Chair of an affiliate Party. State affiliates are autonomous within the bounds of the national party's bylaws and the Statement of Principles, and as such are obligated to accept the Chairs of those affiliates as reported to them by the affiliate organizations.
- One county chair suggested that he intended to modify the membership requirements of his county to either prohibit members of the Mises Caucus from becoming members or to at least require a "caucus affiliation disclosure" prior to recognizing membership. No one was "warned" against attending, and under the recently amended state rules for county affiliates these county membership criteria would be invalid.
- It is true that a recent amendment codified a requirement for county affiliates to respect the membership requirements of the state party. This was done in an effort to ensure consistent membership criteria across the state and ensure that counties were not manipulating their membership criteria in order to disenfranchise state party members or inflate their numbers to suppress state party members.
- The Commissioner of Elections is obligated to accept nominations from the "regularly organized and constituted [statewide/county] governing authority of a political party" for determining ballot access, which is secured by counting the total number of voters affiliated with the party statewide. Likewise contributions to any part of a political party (county affiliates, subcommittees, etc) are totaled with other contributions to the party statewide. The Commissioner of Elections office recognizes that county affiliates, in particular when they are chartered by state parties, rely on the state party for their status as the "regularly organized and constituted county governing authority".
- It is bluster to claim that law enforcement has any role to play with respect to the LPD's bank accounts. Even under the most charitable interpretation of Mr. Hinds' claims, the funds remain under the control of the LPD's elected Treasurer, who continues to serve in that role and operates in accordance with the established policies of the State Board.
- The web and social media presence of the LPD remains under the control of the IT Director, who is the same individual previously contracted to the State Board as the "webmaster", who was likewise directed by the State Board to manage those assets.
- Any change to State Board policy regarding these assets, under its duties prescribed by the LPD's AoA in Article VI, would have required a vote of the State Board. Even if Mr.

Hinds was correct that he and his allies have not been correctly removed, he has no ability to reach a quorum to make any such decisions, or to unilaterally delegate responsibilities for those resources differently than was accepted policy prior to 10/1.

- The LPD is not a “separate group” in any way. We are the same organization that remains associated with the Libertarian Party as its Delaware affiliate. If anything, Mr. Hinds is attempting to establish a separate group following his removal from leadership of the existing group.
- Again, LPD assets remain under the control of the LPD, in line with established LPD policies as they existed both before and after 10/1. Claiming they have been “stolen” is hyperbole intended to obfuscate the fact that Mr. Hinds and his allies have been correctly removed from their positions of authority in the LPD.
- The list of Board members supporting this action is accurate, but neglects the numerous other party members who were both aware of and in support of the action. The purpose was not to consolidate power into “the hands of a few”, but rather to secure the LPD against a publicly announced and readily observable ongoing effort to “take over” the party by a distinct and separate organization, and to halt the offenses in service of that goal among our local party leadership..
- Will McVay has not and does not have “unfettered control” over party communications. As the IT Director, it falls within his purview to manage the administrative access to these assets as a single point of accountability for their security, but those responsibilities were assigned to him by the State Board in furtherance of their duties under Article VI of the LPD AoA to secure party assets and manage web and social media pages and he remains accountable, or “fettered” to the State Board in that capacity.
- Nothing was hidden. All of the actions taken were taken in publicly accessible forums as required by the LPD’s governing documents for anyone to see. That the Board members removed for their obstructive and tyrannical behavior would have opposed their own removal should be obvious, but had they been sufficiently diligent in looking they would have been well aware of the intentions of the other Board members and still would have been powerless to stand against the coming changes.
- The former Chair and Vice Chair were refused administrative access to financial and social media accounts because providing such access would have been in violation of established State Board policy. The State Board as a whole is assigned the duty to secure these resources. The Chair and Vice Chair under the structure of the LPD are deliberately created as extremely weak offices with the primary responsibility of serving as the Chair of meetings, not as chief executives of the Party. The former Chair and Vice Chair’s inability to understand their limitations despite repeated attempts to explain them is among the reasons their removal was effected by the other Board members whose rights they sought to usurp.
- The spurious claims about Will McVay’s other political parties show yet another example of Mr. Hinds’ possibly deliberate ignorance and inexperience. As has been frequently explained, Delaware’s campaign finance laws are a joke and the formation of empty “political parties” serves as an extremely easy means of legally circumventing the limits imposed on political contributions. Mr. McVay has created numerous political parties since 2012 to illustrate this fact in an accessible way to Delaware voters. Some of these

parties were also created for other purposes, such as to stake a claim to the regularly organized and constituted statewide governing authority of a “Patriot Party” and thus subvert efforts by Trump supporters disillusioned with the Republican Party to do so, or to educate the public about how easy it is to leave the two old parties behind and strike out on their own. This was the original intent of the Mandalorians Party. Admittedly, as the situation in the LPD deteriorated prior to the June convention, the Mandalorians Party was considered as an avenue for Libertarians unhappy with the direction of the LPD under Mises Caucus influence to continue Libertarian activism, but these efforts were haphazard at best and have now been completely abandoned due to commitments to the LPD. In any case, Mary Pat McVay, the LPD Treasurer, has had no involvement with the Mandalorians Party and Mr. Hinds is throwing spaghetti at the wall here.

- Again, the duty to secure the LPD’s assets belongs to the entire State Board, who chose to delegate that responsibility to Will McVay in his capacity as “webmaster” (now IT Director). It does not fall within the Chair or the Vice Chair’s authority to unilaterally demand administrative access and would in fact be a clear violation of the webmaster contract to provide it. Administrative access to social media accounts, as well as the Google account that controls the other web assets, once secured is extremely easy to lock down and prevent others from accessing. As was seen in LPNH, the Chair had administrative access to these accounts and was able to lock out the other members of her executive committee without authorization. Not only was the webmaster under contract to the State Board to secure these assets and to be responsible for court costs and legal fees should it become necessary to recover them, but the webmaster had a 10 year track record of managing these assets in compliance with LPD policies. While the State Board could have directed a change in those policies, it was not and is not for the Chair or the Vice Chair to do so unilaterally.
- The webmaster (now IT Director) has stated that it could be argued these assets are his private property. In the heat of arguments, which have been shared out of context, he has flippantly declared them to be his. It was his sincere hope and the hope of the majority of the LPD Board that the situation would not deteriorate to the point where a clear determination of ownership was required. In any case, these assets were created as many as 10 years ago unprompted by the State Board and provided to the party for their use in compliance with policies set by the Board. Whoever might ultimately be determined to “own” them in the event of a conflict that escalated to that point, this never became relevant as the established policy to vest administrative authority with the webmaster was never changed.
- Nevertheless, the Executive Committee (a subset of the Board including the four statewide elected officers) was provided with access to the social media accounts in a way that protected them on behalf of the party as a whole. Mr. Hinds even utilized his access to post a statement plagiarized from the LPVA regarding the private vaccine mandates announced by President Biden, even if other members of the Executive Committee were less active in posting content. To say they did not have access is false.
- It is absolutely true that the membership of the LPD deserves better than it has gotten. This is among the reasons remaining Board members chose to remove Mr. Hinds and his allies from the Board. Following that removal, the membership is getting better than

they got. Progress is being made on building out the infrastructure of the party and improving our processes for conducting the Party's business. State Board discussions do not deteriorate into endless flame wars and pissing contests while nothing is accomplished. Members new to the Party are welcomed and integrated instead of being attacked and slandered. These improvements are the direct result of removing Mr. Hinds, Dr. LePore, and Mr. Casey.

- No one was deceived. The details of the process to remove Mr. Hinds et al were not publicized, steps were taken to distract attention from them, but no one was deceived except for the LPD members themselves when Mr. Hinds claimed during his run for State Chair that he would seek to integrate the talents of all LPD members. In fact, his exclusive focus since being elected has been to drive out members of the Party whose talents are necessary to ensure its continued efficient functioning.
- The evidence to support the removal of Mr. Hinds et al is pervasive throughout our Discord chats and social media groups. These are all publicly accessible and in their accumulation were sufficient to convince the necessary majority of the State Board that removal was justified and in fact the only possible remedy. Others are entitled to their own opinions on that evidence and are under no obligation to seek it out for themselves, but others were not charged with the responsibility for making these determinations and the ones who were remain firm in their conviction that they made the right choice.
- The procedure followed complied with the requirements in our governing documents. Diligent and attentive Board members could have, would have, and should have been aware of the procedural milestones. The shortcomings of Mr. Hinds in that respect are his responsibility alone and again stand among the reasons his removal was deemed necessary.
- No assets, financial or otherwise, have been stolen. This hyperbole is not helpful.
- We have been forthright and responsive to inquiries in the wake of these changes, we have not spun irrelevant side issues into a nefarious conspiracy to subvert the LPD to the Mandalorians or any other political party. The fact is that Mr. Hinds and his allies got beat and through the large support network available to them among the Mises Caucus they are raising a lot of smoke to suggest that they were somehow cheated instead of just outsmarted by adversaries they underestimated out of arrogance and contempt. There is no fire here and no role for the LNC to play.
- We are, as we have always been, available to anyone and willing to answer questions.
- RONR does not apply when superseded by our governing documents. A post to our designated Facebook group is explicitly defined as adequate notice and no form or format is prescribed to validate that notice. As far as meetings are concerned, ad hoc meetings are explicitly convened through a process outlined in our AoA that was followed. For these types of meetings, notice is not required beyond the post to the designated group chat.
- In fact, our bylaws allow for votes on such motions to remain open for 48 hours, giving all members a reasonable opportunity to participate. Sufficient votes were recorded to determine the outcome prior to that time, but the vote was kept open anyway.
- The acting Chair at this meeting ruled against starting the vote, as any other possible acting Chair would have done. His ruling was overturned on appeal.

- The absent Board members were notified at the same time as everyone else. Their lack of responsiveness is their responsibility and would not have changed the outcome anyway.
- Mr. Hinds is making up irrelevant terms referring to an “official notification”. A post in the group is explicitly accepted as adequate notification. Mr. Hinds and his allies admit that they weren’t even aware of the notification until after it was adopted, so quibbling over its format is clearly an ex post facto attempt to rationalize rejecting the outcome of a vote they don’t like.
- Quorum was reached. They had the same opportunity to participate in the meeting as everyone else. Their excuses for not attending are irrelevant, as their opposition would have been if they had attended.
- The previous notice requirements and the meeting notice requirements were followed in accordance with our governing documents. These override RONR.
- The purpose of allowing members to post notifications in the group is to explicitly avoid the concept of an “official notification”. Posting to the group is an adequate notification.
- Comments on the notification post are not a requirement.
- Attentive Board members were aware of the notification in spite of the “meme dump”. There are no requirements regarding notifications that they must be seen. Such subjective and unverifiable requirements would allow members unhappy with the outcome of a vote to fabricate objections, not to accuse anyone here of doing that...
- Tagging group posts as notifications is not a requirement.
- The majority of Board members it would have taken to appeal a ruling that the post did not constitute a notification clearly believed it did constitute a notification. This pedantic fabrication of notification requirements has no basis in our governing documents.
- We truly did not believe adjourning the Sept. 27 meeting would be successful. We hadn’t counted on Dayl abstaining from the vote. Joe had a hangover and didn’t feel like dealing with Bill and asked prior to the meeting if anything on the agenda was urgent prior to deciding to move to adjourn. We were as surprised as the no votes.
- The “official” bylaw amendment was not ripe for action on Sept. 27, so no discussion of it was necessary. The secretary’s awareness of a notification is also not a requirement, as it again creates a subjective and unverifiable means to halt a valid notification if one person opposes it. Mr. Hinds is fabricating requirements because he lost.
- More than five people were aware of the notification. Facebook does not show historical insights for group posts, but for several days after the notification was posted, the reach shown was 48. There’s no way to know who those 48 people were.
- Most often, those discussions are of amendments that are actually ripe for action. Several members of the Board thought it a waste of time to discuss notifications prior to the end of the 30 day notification period when no action could even be taken on them.
- It was a letter stating my reasons for removing these members and my interpretation of the motives of others. It does not require “evidence” and nor is it defamatory if it reflects opinions motivating action. Whether the allegations are true or not, they were believed to be true by those supporting removal and formed the basis of their decision to do so.
- Again, Mr. Brittingham was expressing his support for a change to his county affiliate’s membership policies based on his observations of the disruptions that had occurred in

other counties. Interpreting this as a “threat” against all party members requires a particularly active imagination and a persecution complex.

- The proposed amendments primarily provide an enforcement mechanism for the previously existing language requiring that county affiliates could not contradict state policies and prevent the exclusion of state party members residing in the county. It also, in lieu of dues or other membership criteria found in other state affiliates, allowed the Board to make a subjective assessment of a prospective member’s intentions prior to accepting membership. This policy is likely to be reformed as time goes by to establish more objective criteria, but considering the active threat of a takeover, has been determined by the State Board to serve as adequate protection where prior defenses were insufficient. To be clear, this requirement only applies to voting privileges and does not affect anyone’s ability to participate or contribute to the Party prior to approval.
- I don’t know how that comment qualifies as “weaponizing” anything or making threats. The profile picture has since been changed but is irrelevant to anything anyway.
- The comment about “trying” for the LPD is from late April, when my frustrations dealing with the Mises Caucus drama had me reevaluating my commitment to the LP. Since that time, I have posted that my work on the Mandalorians Party is being suspended to dedicate my efforts to the LPD. As mentioned above, Mr. Hinds et al clearly don’t understand the purpose behind the creation of multiple shell political parties under Delaware law, but that’s not relevant to this matter.
- The Libertarian Party of Delaware Facebook group allows any member to approve join requests, and several pages have been approved to join. There are no “posting privileges” except for joining the group. Only group members subject to disciplinary action for violating group rules require post approval.
- Mary Pat McVay has nothing to do with the Mandalorians.
- Given the threats of legal action leveled by Mr. Hinds and his allies, it was determined that all funds in the party account should be sequestered so the Treasurer would not be personally liable for funds spent, even when in alignment with established procedures, on the chance that a court found our actions incorrect. Our Treasurer has served for over 10 years, filing financial reports as required accurately and on time, has never faced an audit, and has never even been accused of mismanagement or embezzlement. Neither Mr. Hinds, Dr. LePore, or Mr. Goward ever asked to see financial statements, but they have been verified and the insinuation that the financial reports are inaccurate due to some malfeasance on behalf of the Treasurer is truly defamatory. We are looking at creating an audit/financial oversight committee to address such concerns in the future.
- The motion allows for the receipt of loans to pay our operating expenses without accessing the sequestered funds. This is really more of a campaign finance issue given that it is possible we will raise enough money to pay back these loans, but are otherwise not allowed to make ex post facto reimbursement payments to individuals. Accepting these donations as loans allows for the possibility that after legal issues are resolved or fundraising ramps up, the loans can be repaid, but does not require it such that they can be converted to donations after the fact.
- To be clear, we believe any legal case will be as groundless as the evidence presented here, but in order to protect a loyal and long serving Treasurer from any risk of liability,

we decided to hold all funds received prior to 10/1 and find alternative short and long term solutions for funding our operations.

- We also have a Discord server, a Blogger account, a Google account, and TicketLeap. With the exception of TicketLeap, I created all of these accounts on my own initiative without being directed to do so by anyone else in the LPD. I have retained admin access to these accounts for years, even during brief interludes when I held no position in the LPD. Nevertheless the LPD has agreed to utilize these accounts to conduct their activities and established policies for how that should be done, which I have implemented. If push ever came to shove, a court of competent jurisdiction would have to determine who “owns” these accounts, but just as there is no documented “licensing agreement” there is also no “gift receipt” or motions asking me to establish these accounts to in any way suggest they were created by an agent of the LPD rather than myself as an individual or having been created by me were transferred to the LPD. This is all a distraction anyway since no motion was ever passed to change who should be responsible for these accounts in spite of repeated underhanded attempts.
- The contract was created years after most of these accounts were created, but the intention when it was approved was to clarify that I should be responsible for managing these and other assets on behalf of the LPD. That contract was recently terminated by mutual consent to align with the more common practice in other affiliates of appointing an IT Director. That appointment explicitly delegated responsibility for all IT assets to me, as I’m an experienced software developer able to manage these assets in ways no one else in the LPD is able to do.
- Sean’s resignation letter was clearly aimed at me, but in light of the allegations he made a hearing was held at the next quarterly State Board meeting to determine if there was any truth to them and if terminating my contract for misconduct was appropriate in response. The overwhelming response was that Sean was mistaken in his understanding of events and that Board policies had been followed precisely.
- That amendments often were discussed does not suggest that they must be.
- It is worth noting though that with the exception of the August meeting, none of these listed meetings are technically in compliance with our governing documents. Quarterly meetings are called for, but any ad hoc meetings in between are designated to be single motion meetings taking place on a group chat or email thread with votes remaining open for 48 hours. Amendment notifications had ripened to address this issue in order to allow the Chair to call real-time live meetings with sufficient notice, but these ripened notifications were never discussed under the agenda’s prepared and released by Mr. Hinds. Our meeting to adopt the amended removal language was more in order under our governing documents than most of the meetings for which minutes are provided by Mr. Hinds. In any case, discussion of pending or even ripened notifications is not a requirement under our governing documents.
- **Reiterating again because it’s important, the LPD does not acknowledge the LNC’s or the National LP’s authority to interfere with our autonomy. This information is being provided as a courtesy and in the interests of transparency.**

APPENDIX H – ORIGINAL MINUTES PREPARED BY TIM HAGAN

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SPECIAL MEETING MINUTES
LIBERTARIAN NATIONAL COMMITTEE
November 21, 2021
VIA ZOOM



CURRENT STATUS:

FINAL

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LEGEND: text to be inserted, ~~text to be deleted~~, unchanged existing text, substantive final main motions.

All main substantive motions will be set off in green font (with related subsidiary and incidental motions *set off by highlighted italics*) and will be assigned a motion number comprising the date and a sequential number to be recorded in the Secretary's Main Motion/Ballot Tally record located at <https://tinyurl.com/lncvote2021>

Points of Order and substantive objections will be indicated in RED TEXT.

All vote results, challenges, and rulings will be set off by **BOLD**.

The recording for the meeting is at www.youtube.com/watch?v=mPHHAwzzUgA.

OPENING CEREMONY

CALL TO ORDER

Chair Whitney Bilyeu called the meeting to order at 7:33 PM (All time Eastern Time)

HOUSEKEEPING

ATTENDANCE

The following were in attendance:

Officers: Whitney Bilyeu (Chair), Ken Moellman (Vice Chair), Tim Hagan (Treasurer)

At-Large Representatives: Laura Ebke, Richard Longstreth, Erik Raudsep, Valerie Sarwark, Joshua Smith

Regional Representatives: Chris Luchini (Region 1), Steven Nekhaila (Region 2), Dustin Nanna (Region 3), Susan Hogarth (Region 5), John Phillips (Region 6), Erin Adams (Region 7), Rich Bowen (Region 8)

Regional Alternates: Alex Flores (Region 1), David Sexton (Region 2), Jared Hall (Region 3), Tim Ferreira (Region 4), Otto Dassing (Region 5), Matthew Bughman (Region 6), John Wilford (Region 7), Pat Ford (Region 8)

Absent: Jeff Hewitt (Region 4),

Vacant: Secretary

Staff: Tyler Harris (Executive Director), Richard Brown (Parliamentarian)

Present from Delaware: Bill Hinds, Amy LePore, Will McVay

Also Present: Many others watched the meeting on Zoom and YouTube.

MEETING PURPOSE

The meeting was called to discuss the Libertarian Party of Delaware.

NEW BUSINESS

Libertarian Party of Delaware

Ms. Hogarth opened the proceeding by explaining the situation with the Libertarian Party of Delaware, with Mr. Hinds and Mr. McVay both claiming that they are the chair of the

Libertarian Party of Delaware. Questions were asked by Mr. Hinds, Mr. McVay, and Ms. LePore.

Dr. Luchini joined the meeting at 8:02 pm.

Mr. Phillips moved to adjourn. [20111121-01]

A roll call vote was conducted with the following results:

Member / Alternate	Aye	Nay	Abstain
Adams		X	
Bowen		X	
Ebke	X		
Hagan		X	
Ferreira		X	
Hogarth		X	
Longstreth	X		
Luchini		X	
Moellman		X	
Nanna		X	
Nekhaila		X	
Phillips	X		
Raudsep		X	
Sarwark	X		
Smith		X	
Bilyeu			X
TOTALS	4	11	1

This motion failed with a roll call vote of 4-11-1. [20111121-01]

Mr. Nekhaila moves to create an ad hoc special committee to review the founding documents of the affiliates, as requested by the affiliates, to make suggestions for professionalizing the rules in regards to members' rights.

Mr. Phillips raised a point of order that a special meeting is called for a specific purpose. Ms. Bilyeu ruled the motion out of order.

At 9:51 pm, Mr. Bowen relinquished his seat to Alternate Mr. Ford.

Mr. Ford moved the Libertarian National Committee and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention and shall be recognized as the sole authority of the Libertarian Party of Delaware. [20111121-02]

Ms. Hogarth moved to amend by adding "of 2021".

The Libertarian National Committee and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention of 2021 and shall be recognized as the sole authority of the Libertarian Party of Delaware.

The amendment passed without objection.

Mr. Longstreth raised a point of order that based on the Bylaws Article 5, Section 5 on the autonomy of the affiliate party, is the motion in order? The Chair ruled that the motion as it is written is not a petition to recognize a state affiliate, so the motion is not in order.

Mr. Ford appealed from the ruling of the Chair. **[20111121-03]**

Mr. Moellman raised a point of order that the ruling of the Chair is debatable. The Chair thanked the Vice Chair and the ruling of the Chair was debated.

At 10:59 Dr. Luchini left the meeting. Mr. Flores represented the region.

A roll call vote was conducted on whether the ruling of the Chair shall be sustained with the following results:

Member / Alternate	Aye	Nay	Abstain
Adams	X		
Ford		X	
Ebke	X		
Hagan		X	
Ferreira		X	
Hogarth		X	
Longstreth	X		
Flores			X
Moellman	X		
Nanna		X	
Nekhaila		X	
Phillips	X		
Raudsep		X	
Sarwark	X		
Smith		X	
Bilyeu			X
TOTALS	6	8	2

The ruling of the Chair was not sustained with a roll call vote of 6-8-2. [20111121-03]

Ms. Hogarth moved to amend the main motion to append with "under the bylaws extant at that time":

The Libertarian National Committee and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention of 2021 and shall be recognized as the sole authority of the Libertarian Party of Delaware, under the bylaws extant at that time.

The amendment passed without objection.

Dr. Luchini returned at 11:18 pm.

Mr. Longstreth raised a point of order, are we chartering a new group? The Chair at first ruled the motion would be disaffiliating one organization and affiliating another state level party (Article 5, Section 2). The Parliamentarian opined the motion requires a regular majority vote. The motion is not disaffiliating since the LNC is not dissolving an organization.

A roll call vote was conducted on the main motion as amended with the following results:
 The Libertarian National Committee and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention of 2021 and shall be recognized as the sole authority of the Libertarian Party of Delaware, under the bylaws extant at that time.

Member / Alternate	Aye	Nay	Abstain
Adams		X	
Ford	X		
Ebke		X	
Hagan		X	
Ferreira			X
Hogarth	X		
Longstreth		X	
Luchini		X	
Moellman	X		
Nanna/Hall	X		
Nekhaila	X		
Phillips		X	
Raudsep	X		
Sarwark		X	
Smith	X		
Bilyeu		X	
TOTALS	7	8	1

This motion failed with a roll call vote of 7-8-1. [20111121-02]

Mr. Nanna moved to disaffiliate the Libertarian Party of Delaware. [20111121-04]

Mr. Flores raised a point of order that the motion needed cause. The Chair ruled the motion is out of order as it stands but can be amended.

Mr. Nanna moved to amend the motion to add “for violation of the spirit of their bylaws in installing a new state board.

Disaffiliate the Libertarian Party of Delaware for violation of the spirit of their bylaws in installing a new state board.

Ms. Hogarth moved to amend to add “and for disenfranchising over 2000 Libertarians”.

Disaffiliate the Libertarian Party of Delaware for violation of the spirit of their bylaws in installing a new state board and for disenfranchising over 2000 Libertarians.

Mr. Bughman raised a point of order that it is after midnight Eastern Time. The Chair ruled the agenda had no specified adjournment time.

The Hogarth amendment passed without objection.

Mr. Raudsep moved to substitute to: Disaffiliate the Libertarian Party of Delaware for having two boards and the Libertarian National Committee unable to decide an appropriate board.

The Raudsep substitute motion passed without objection.

A roll call vote on the Raudsep substitute as the main motion was conducted with the following results:

Disaffiliate the Libertarian Party of Delaware for having two boards and the Libertarian National Committee unable to decide an appropriate board. [2011121-04]

Member / Alternate	Aye	Nay	Abstain
Adams			X
Bowen/Ford	X		
Ebke		X	
Hagan	X		
Ferreira		X	
Hogarth	X		
Longstreth			X
Luchini/Flores			X
Moellman	X		
Nanna/Hall	X		
Nekhaila	X		
Phillips			X
Raudsep	X		
Sarwark		X	
Smith	X		
Bilyeu			X
TOTALS	8	3	5

This motion failed with a roll call vote of 8-3-5. A disaffiliation motion requires a vote of ¾ of the entire Libertarian National Committee. [2011121-04]

ADJOURNMENT

Dr. Ebke moved to adjourn. The meeting adjourned without objection at 12:40 AM.

Respectfully submitted,



Acting Secretary Pro Tem