

Filing cover & attestation

Petition #1 — (a) Suspension of an affiliate party

FILED BY

Jonathan Jacobs is a sustaining member through 09/10/2026.

ATTESTATION

This amicus brief was filed by Jonathan Jacobs on their own behalf, who is a sustaining member through 09/10/2026, and who adopts, incorporates, endorses, and accepts ownership of the material contained within as their own, has signed this document accordingly, and attests that it is accurate and not filed to harass, delay, or for any improper purpose.

BEFORE THE JUDICIAL COMMITTEE OF THE LIBERTARIAN PARTY

In re: Revocation of Affiliate Status of the Libertarian Party of New Hampshire

BRIEF OF AMICUS CURIAE JONATHAN M. JACOBS IN SUPPORT OF PETITIONER, IN PART

I. Identity and Interest of Amicus

The amicus is a sustaining member of the Libertarian Party under Article 4, Section 4 of the Bylaws, and submits this brief in my personal capacity under Rule 7.1 of the Committee's Rules of Appellate Procedure.

The will keep the same disclosures, but will note that he served as the parliamentarian for the LPCO Convention in 2025.

II. Argument Summary

This is a response to Caryn Ann Harlos's (Harlos IV) response to the amicus's filing.

Endorsement Mootness and Precedent

This is a response to the response to Ms. Harlos's claims regarding the repealed Trump endorsement and its mootness. She also illustrates the danger of what the LNC is attempting by trying to disaffiliate the LPNH.

In her initial filing, Harlos I, she cited the supposed fix of the nomination of by the LPCO. It was a claim that a "convention" of 6/28/25, which "condemn the RFK, Jr. endorsement." However, the meeting was invalid¹, and the actual convention was held by a "stipulated injunction," on 10/18/25². The amicus, who attended that convention as parliamentarian, does *not recall* any effort to rescind that motion (or a point of order being made about it). So far as he is aware, it has never been rescinded by the LPCO, either by a convention or by their Board of Directors.

Now the reasons for not rescinding it may be that the current LPCO does not think it is important. The election was well over, and the candidate, Robert F. Kennedy, Jr., withdrew in the summer of 2024. It may have been regarded as water under the bridge. However, the main motion endorsing him is still in effect, to the best of the amicus's knowledge; he will be happy to be corrected on this point.

If the disaffiliation of the LPNH is taken on this ground of the repealed Trump endorsement, it will establish a precedent for other affiliate parties to be disaffiliated on prior actions not in effect. The LPCO Board should probably follow the suit of LPNH and repeal the motion, if they have do so already. However, even if they do, and the LPJC agrees that a rescinded endorsement is grounds for disaffiliation, it will establish a precedent for this, or a future, LNC to disaffiliate the LPCO.

As a hypothetical, what if the former LPNM had, even after disaffiliation, appealed, and then taken action to end the violation of members' rights. What if they had fixed the problem? Well, the amicus would have argued that the LPNM should not have faced disaffiliation. Made

up for the occasion? No, as can be seen in Jacobs, et al. vs. LNC, where he did withdraw an appeal once the LNC took corrective action.

Ms. Harlos is correct when she said, “It makes no sense.” It makes no sense for the LNC to disaffiliate an affiliate, any affiliate, when that affiliate has corrected that action. Further, it establishes a dangerous precedent to do so. The next time, it could be your affiliate.

“Specify”

RONR notes that “There is a presumption that nothing has placed in the bylaws without some reason for it (56:58).” Bylaw 5.6 states:

“The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.”

What if the Bylaws only stated, “The National Committee shall have the power to revoke the status of any affiliate party, ~~for cause~~, by a vote of 3/4 of the entire National Committee.—~~A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.~~” Well, in that case, only a motion to revoke, adopted by ¾ of the entire LNC. That is not what the bylaws.

What if the Bylaws only stated, “The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee.—~~A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.~~” The motion then would have the general causes. That is because the only way that the LNC may express is through a main motion (10:09). The motion would have include cause, e.g. cause could be that the affiliate “espoused numerous anti-libertarian positions on a National level.” That is not what the bylaws say.

The bylaws include that third line, “A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.” It is requirement to specify, i.e. “to name or state explicitly or in detail.” There is no reason for third line to be included if it is just to repeat “cause.” The Bylaw requires more. The LNC, by motion and by a ¾ vote, must tell us, the LPJC, other affiliates and the members themselves, what specifics are.

The LNC listed cause, but they have failed to “specify the nature of the cause.” Simply repeating it does meet the Bylaw requirement.

Jarvis Resolution

Ms. Harlos’s reference to the Jarvis Resolution is confusing, because the amicus very clearly feels that it is not in force; that is supportive of Mr. McGee’s position.

The amicus has stated that, because of the text of that resolution, even if it was in force, it does not apply. The text reads that the motion is to, “set forth a model of investigating internal issue not covered by the Judicial Committee, Bylaws, and Policy Manual.” It means that the text of the motion states that it does not include investigation of things not subject to the LPJC, Bylaws, or the Policy Manual.

None of this will change the fact that the LNC did not follow the same process in disaffiliating the LPNH as it did with the disaffiliation of the LPNM.

Legitimacy

The amicus is happy that Ms. Harlos acknowledged that the delegates were not permitted to appeal the chair's decision in of those delegates' rights of membership. The problem is that did not make it the valid decision of the delegates, a point she has skirted in her filings.

IV Conclusion

There will probably be some typos, but that because the amicus is more concerned with substance, and not style (or lack thereof).

Respectfully Submitted,

Jonathan M. Jacobs

Jonathan M. Jacobs

Bylaw Sustaining Member

jjparlia@yahoo.com

End Notes

¹Exhibit 2

²Exhibit 3

³chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://lp.org/wp-content/uploads/2024/10/LNC_2021-06-19_FINAL.pdf p. 5

EXHIBITS

Exhibit 2

JONATHAN M. JACOBS

Parliamentary Consultant

Mailing Address:
630 North 63rd Street
Apartment 3rd Floor East
Philadelphia, PA 19151
Telephone: (215) 228-1135
E-mail: jjacobs@jacobson.com

Registered Parliamentarian,
National Association of Parliamentarians
Certified Professional Parliamentarian,
American Institute of Parliamentarians
Accredited Parliamentarian,
Society for Agricultural Education Parliamentarians

Past President, Former Parliamentarian
Pennsylvania Association of Parliamentarians, Inc.
Past President, Delaware Valley Unit
National Association of Parliamentarians
Past President, Philadelphia Unit,
National Association of Parliamentarians

June 29, 2025

Hannah Goodman, Chair
Libertarian Party of Colorado

Dear Chairman Goodman:

On June 28, 2025, a group of members attempted to hold a meeting in violation of the Libertarian Party of Colorado (LPCO) bylaws. Such a gathering was called in violation of the bylaws and is void. Any action taken by this group will not be action of the LPCO but of these individuals, for which they assume all responsibility. Any claim by these individuals of acting on behalf of the LPCO will be an act of deliberate misrepresentation.

The LPCO bylaws require, among other things, that:

"Any meeting to elect Party Directors or National Convention Delegates, or any assembly to nominate candidates, shall be held at a public place at the time specified by the Chair. The time and place of such meeting shall be published once in a newspaper of general circulation in each county wherein Members reside, no later than fifteen (15) days before such meeting (Article X, a.)."

Further, the Bylaws note that:

"The time and place of all Party conventions shall be published once in a newspaper of general circulation in each county wherein Members reside, no later than fifteen (15) days before such convention (Article XI, Section 1.d)"

This is in addition to any other notice requirements. There is nothing ambiguous about this bylaw.

Through the error of the LPCO officers, this required notice was not sent, though other forms of required notice were sent. The error was discovered on the evening of June 23, and the members were informed of this by email on the morning of June 24. Further, the chair and executive director clarified this in additional emails, noting the problem that this was a violation of a "fundamental principle of parliamentary law" and that no action can be taken at such a meeting (RONR 12th ed., 23:6 d.). In addition, as the Colorado Minor Party Law does require that this clause be placed in the bylaws of minor parties, this may be a legal requirement for notice¹. If it is, any action taken by this group of members would be in violation of a procedural rule of law that is applicable to the LPCO and would be void on that ground as well (RONR 12th ed., 23:6 c). At the gathering, the LPCO members present were also informed of this.

The "fundamental principle" regarding this:

"It is a fundamental principle of parliamentary law that the right to vote is limited to the

members of an organization who are actually present at the time the vote is taken in a regular or properly called meeting, although it should be noted that a member need not be present when the question is put. (RONR 12 ed., 45:56)."

At least two members of the authorship team, Mr. Gerber and Mr. Honemann, did opine on the issue in the last several months². Both concluded that, even if all members of the organization were present, taking an action in violation of this fundamental principle would still cause the action to be void. While I do disagree with both men at times, I do not disagree here. Any action taken at this gathering is not the action taken "in a regular or properly called meeting" of the LPCO and is void, in my professional judgment.

Note that, as just stated, this has nothing to do with absentee rights. The LPCO should prepare for a legitimately called and noticed election. No member may legitimately claim that this June 28, 2025 gathering was a legitimate LPCO convention. To do so at this point will be to deliberately engage in misrepresentation.

Please note that I will be willing to testify to these matters under oath, if need be.

Truly yours,

Jonathan M. Jacobs

Jonathan M. Jacobs, RP, CPP.

End notes:

¹ I do not take a stand on if statute requires that notice "be published once in a newspaper of general circulation in each county wherein Members reside, no later than fifteen (15) days before such meeting," and a violation of 23:6 c.

I have, however, heard the claim that a "notice" was published on the website *Independent Political Report*. The claim that a website that is not located in Colorado, does not cover "local news," and is not a newspaper, meets this requirement strains bylaw interpretation well beyond the breaking point.

² <https://robertsrules.forumflash.com/topic/45608-improperly-called-meeting-with-all-members-in-attendance/>

I do not necessarily agree with Mr. Honemann's characterizations of individuals nor with the suggestion that some sort of mass meeting could rule on a permanent organization's bylaws.

Page 1 of 2

Page 2 of 2

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Exhibit 3

DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202	
Plaintiff: THE LIBERTARIAN PARTY OF COLORADO, by and through the chairperson of the Libertarian Party of Colorado, HANNAH GOODMAN v. Defendants: CARYN ANN HARLOS, KEITH LAUBE, DOUGLAS JONES, JEFFORY ORROK, DANIEL LUTZ, BETTE ROSE RYAN, MARC MONTONI, W. J. BENNETT RUTLEDGE, JANET TURNER, JOSEPH JOHNSON, SEAN VADNEY, MICHELE POAGUE, CLAYTON CASCIATO, DARREN HILL, JOHN HJERSMAN, and DOES 1-28	▲ COURT USE ONLY ▲ Case Number: 2025CV33628 Division: 209
STIPULATED INJUNCTION	

THE COURT, having reviewed the party's stipulation, which includes the served Defendants, does hereby order and affirm:

- (1) The parties will follow the current bylaws of The Libertarian Party of Colorado.
- (2) The scheduled 2025 Annual Convention of the Libertarian Party of Colorado of October 18, 2025, is properly scheduled and noticed.
- (3) LPCO agrees registration and credentialing will begin at 8:00 a.m. until 9:00 a.m., and the convention will not begin until all waiting and properly qualified delegates are fully credentialled, and that the LPCO will adequately staff the registration table to accommodate that purpose.

(4) Chairperson, Hannah Goodman, will chair the meeting subject to the bylaws and Robert's Rules.

(5) The duly elected board positions will become the authorized board members of LPCO, subject to any subsequent objection to election process.

(6) LPCO acknowledges pre-registration is not required. Any delegate that received a "gift membership" must have date-stamped, verifiable proof for any "gift membership" that dates on or immediately after the day the gift was made, and prior to July 20, 2025.

(7) LPCO will follow all proper protocols to remove any disruptive members from the convention hall.

(8) The parties herein will attempt to ensure a smooth transition of power and assets to the elected leadership at the October 18, 2025, convention, if elected legitimately under the Party Rules and Bylaws.

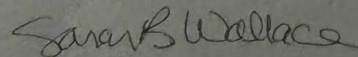
(9) The parties will refrain from sending out any communications prior to the convention that skews the perception of today's hearing except to say the parties amicably reached an agreement and look forward to a peaceful and productive convention.

(10) LPCO will also allow convention attendees to set up a small table in a non-obstructive location to film/audio record the proceedings.

The Court retains jurisdiction over any allegations of violations of the Party Rules.

DATED: October 17, 2025.

BY THE COURT:



Sarah B. Wallace
District Court Judge