

DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202	AUG 05 2024 DENVER, COLORADO COUNTER CLERK COPY
Petitioner: CARYN ANN HARLOS v. Respondents: LIBERTARIAN PARTY OF COLORADO, a Colorado non-profit corporation and HANNAH GOODMAN, as Chair of the non-profit corporation	▲ COURT USE ONLY ▲
Caryn Ann Harlos, <i>pro se</i>  	Case Number: 24CV578 Division: 259
EMERGENCY VERIFIED MOTION FOR TEMPORARY RESTRAINING ORDER ("TRO")	

COMES NOW, Petitioner Caryn Ann Harlos ("HARLOS"), and respectfully moves this Court for a TRO pursuant to C.R.C.P. 65(b) with or without notice to the other parties which were served on August 2, 2024 (the Libertarian Party of Colorado "LPCO") and on August 3, 2024 (Hannah Goodman "GOODMAN") respectively. In support of this Motion, HARLOS states as follows:

PETITIONER REQUESTS THAT THIS HEARING BE HEARD AND DECIDED THIS WEEK

HARLOS, when appropriate, will refer to Exhibits attached to original Petition, renumber from last number used therein, and not re-attach to avoid repetition herein.

1. BACKGROUND

1. The LPCO is an incorporated nonprofit association and minor policy party, governed and operating under the laws of the State of Colorado.
2. As an incorporated nonprofit association and minor policy party, the LPCO operates under bylaws adopted April 1-2, 2023, hereinafter referred to as the "LPCO Bylaws" (see Exhibit 1 to the initial Petition – LPCO Bylaws).
3. The LPCO is a membership corporation (see Exhibit 2 to the initial Petition – Articles of Incorporation) with its membership defined in the **LPCO Bylaws Article IV**. There are over 40,000 registered Libertarians in Colorado who are basic members of the non-profit corporation. The total voting membership is unknown but is believed to be 300 or less of which HARLOS is one.

4. As an officer of the LPCO, GOODMAN and the rest of the LPCO Board of Directors is obligated to follow its bylaws, to wit:

The Board shall have control and management of all the affairs, properties, and funds of the Party consistent with these Bylaws and shall meet in the manner specified in these Bylaws and may delegate its authority in any manner it deems necessary. **LPCO Bylaws Article VII.1(c).**

5. Bylaws are a contract between a corporation (shareholder or otherwise) and its membership:

"A corporation's bylaws constitute a contract between the corporate entity and its shareholders" and "in construing corporate bylaws, we apply the same rules used to interpret statutes, contracts, and other written instruments." (internal citations and quotations omitted); *P.F.P. Fam. Holding, L.P. v. Stan Lee Media, Inc.*, 252 P.3d 1, 3 (Colo. App. 2010) cited by *Vanterpool v Fed'n of Chiropractic Licensing Bds.*, Civil Action 22-cv-01208-CNS-NRN, United States District Court, District of Colorado noting, "This applies with equal force to non-profit organizations." (internal citations omitted)

"In interpreting [in this instance the bylaws of a voluntary athletic association], we seek to give effect to the intent and the reasonable expectation of the parties... To determine the intent and expectations of the parties, we view the contract in its entirety, not in isolated portions." *Bloom v. National Collegiate Athletic Assoc.*, 93 P. 3d 621 (Colo. App. 2004) (internal citations omitted)

6. As provided by the **LPCO Bylaws Article I(b)**, it is a **chartered** affiliate of the national Libertarian Party ("NLP") and subject to its bylaws adopted May 2024 hereinafter referred to as the "NLP Bylaws" (see Exhibit 3 to the initial Petition – national Libertarian Party Bylaws). This relationship can only be severed as provided for in that same Article, which power is not given to the Board of Directors.

7. Under the **LPCO Bylaws XIV** and **NLP Bylaws Article 16**, the parliamentary authority for both organization is the most current edition of *Robert's Rules of Order, Newly Revised* ("RONR") as follows:

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, any Standing Rules, and any Special Rules of Order the Party or the Board of Directors may adopt. **LPCO Bylaws Article XIV.**

and

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order adopted by the Party. **NLP Bylaws Article 16.**

8. As a chartered state-level affiliate of NLP, the LPCO is entitled to use the trademarked name "Libertarian Party" and is obligated to follow the NLP Bylaws where they speak, see **NLP Bylaws Articles 5.1 and 5.5.**

9. As a **chartered** affiliate, in addition to the obligations required and rights given in the NLP Bylaws, RONR provides:

The only limitations upon the rules that such a body [such as the Colorado state-level chartered affiliate of the NLP – LPCO] can thus adopt might arise from the rules of a parent body (as those of a national society restricting its state or local branches), or from national, state, or local law affecting the particular type of organization. **RONR 2:2 and NLP Bylaws Article 5.5.**

The word *charter* may also refer to a certificate issued by a national or state organization, granting the right to form a particular local or subordinate unit... it supersedes any rules the subordinate body may adopt, because it carries with it the requirement that the subordinate unit adopt no rules that conflict with those of the grantor. **RONR 2.7fn4 and NLP Bylaws Article 5.1.**

10. Under the **LPCO Bylaws Article XI** and attached **Convention Rule 4**, it is only state-level or below candidates that are nominated at the LPCO Annual Convention which is in according with the **NLP Bylaws Article 14.1** which states: "*Nominations of candidates for President and Vice-President of the United States may be made only at the regular convention immediately preceding a Presidential election.*"

11. Virtually no Presidential or Vice-Presidential candidate could meet the requirements under the LPCO Bylaws Article XI if it were interpreted as allowing nominations of those positions since they require the nominees to "*have been a Sustaining Member during the entire period from January 1st of the Convention year until the convention at which they are nominated.*" This is reflected in **Convention Rule 4**, which is attached to the LPCO Bylaws which omits those positions in the list of offices for which nominations are done by convention. This also tracks with Colorado minor party law, specifically **Colo. Rev. Stat. §1-4-1304(2)et. al.** as follows:

[**]

(2) Nominations by a minor political party, to be valid, must be made in accordance with the party's constitution or bylaws. No nomination under this section is valid for any general election unless the nominee:

(a) Is a registered elector;

(b) Was registered as affiliated with the minor political party that is making the nomination, as shown in the statewide voter registration system, no later than the first business day of the January immediately preceding the general election for which the person was nominated, unless otherwise provided in the constitution or bylaws of the minor political party; and

(c) Has not been registered as a member of a major political party at any time after the

first business day of the January immediately preceding the general election for which the person was nominated, unless otherwise provided in the constitution or bylaws of the minor political party.

(3) Any minor political party nominating candidates in accordance with this part 13 shall file a certificate of designation with the designated election official no later than four days after the assembly was held at which the candidate was designated. The certificate of designation must state the name of the office for which each person is a candidate and the candidate's name and address, the date on which the assembly was held at which the candidate was designated, must designate in not more than three words the name of the minor political party that the candidate represents, and must certify that the candidate is a member of the minor political party. The candidate's name may include one nickname, if the candidate regularly uses the nickname and the nickname does not include any part of a political party name. The candidate's affiliation as shown in the statewide voter registration system is prima facie evidence of party membership.

Despite having no authority to nominate Presidential or Vice-Presidential candidates as detailed in the original Petition, neither Robert F. Kennedy, Jr. nor Nicole Shanahan meet any of these requirements.

12. Any vacancy committee created by the LPCO Bylaws XI can only fill vacancies for which nominations are permitted to be done at the LPCO's Annual Convention. Even if the LPCO convention were permitted to nominate Presidential and Vice-Presidential candidates at its Annual Convention, despite any Bylaws provisions to the contrary, these offices can only be filled by a vacancy committee if authorized by a specific resolution of that nominating convention per the Nomination Paperwork required by the Colorado Secretary of State (*see* Exhibit 4 to the initial Petition – Colorado Certificate of Nomination for President with highlighting added). There was no such resolution passed at the 2024 LPCO annual convention nor at the 2024 Libertarian Party national Convention.

13. Chase Oliver and Mike ter Maat were the Libertarian Party nominees from the LPN convention which took place on May 24-26, 2024 (“Official Libertarian Ticket”) (*see* Exhibit 5 to the initial Petition – Announcement from the NLP). The LPCO sent delegates to that convention and participated fully. In fact, GOODMAN ran for internal national Party office and lost that race (*see* Exhibit 6 to the initial Petition – official tabulation sheet for NLP Vice-Chair race).

14. On July 2, 2024, the LPCO passed a motion nominating Robert F. Kennedy, Jr. as President and Nicole Shanahan as its nominees despite having absolutely no Bylaws authority or resolution authority to do so (*see* Exhibit 7 to the initial Petition – Minutes of Meeting) presumably under the authority of being a “vacancy committee” though it was never moved in that manner nor was proper notice given as required under the LPCO Bylaws X(a) (ignoring the fact that there was no vacancy in those nominations and are required by the Nomination Paperwork for the Secretary of State to be nominated at a National Convention or under the authority thereof – *see* Exhibit 8 to the initial Petition – Colorado Certificate of Nomination for President with highlighting added), to wit:¹

¹ Further, only the NLP has the authority to remove/suspend Presidential or Vice-Presidential nominations and replace them. NLP Bylaws Article 14.3-5.

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. **LPCO Bylaws Article X(a)** (emphasis added).

15. Robert F. Kennedy, Jr. ("RFK, Jr.") did properly seek the Libertarian Party's Presidential nomination at the national convention and lost on the first out of seven rounds of voting with only 19 votes out of the whole convention (2.07% of the vote) **with exactly zero delegates from Colorado casting their vote for him**. Nicole Shanahan did not seek the Libertarian Party's Vice-Presidential nomination.²
16. After becoming aware that publication in a newspaper of general circulation was required to fill any alleged vacancies, the LPCO published a legal notice in the Denver Post stating that a "vacancy committee" [meeting] will be held "to nominate the Libertarian Candidates for President, Vice-President.... and to gather acceptance of nomination signatures from the Libertarian Party's 10 presidential elector[sic]." (see Exhibit 9 to the initial Petition – Denver Post Legal Notice).
17. Upon information and belief, the Official Libertarian Ticket has already submitted ten presidential electors which have been accepted by the Secretary of State (see Exhibit 10 to the initial Petition – Email from Colorado Secretary of State dated July 24, 2024).
18. At the LPCO Annual Convention on March 23, 2024, ten persons were nominated by the Convention as Presidential Electors. It is definitely known that two of those, Wayne Harlos and Sean Vadney, have not resigned the Campaign and have agreed to be bound by the officially nominated candidates as required by Colorado Law.
19. The Colorado Secretary of State has already stated:

...[I]t now appears that there is an effort to withdraw these candidates as the Libertarian candidates in Colorado. Colorado law would allow a candidate to withdraw from nomination, but the law gives this right to withdraw only to the candidate themselves, not to the candidate's party. C.R.S. 1-4-1001 (1)(a) states, "Any person who has accepted a designation or nomination may withdraw from candidacy at any time by filing a letter of withdrawal. The withdrawing candidate shall sign and acknowledge the letter before an officer authorized to take acknowledgement and shall file the letter with the designated election official with whom the original certificate or petition of candidacy was filed. Similarly, presidential electors in Colorado function as agents of the candidate, and are bound to vote for that candidate should they win the election in Colorado. See Section 1-4-304(5), C.R.S. So while a presidential elector could withdraw themselves from participating in a vote in the electoral college, this withdrawal does not function as a withdrawal of candidacy for the candidate in question. Instead, that vacancy would be filled by the other electors at the meeting of the electoral college. See 8 CCR 1505-1,

² Under the LPN Bylaws, only draft convention minutes are available at this time, which can be viewed here: https://drive.google.com/file/d/1OoE0_QEs9SXC_wApNwfl-MY5BOYkOt_R/view?usp=drive_link. The nominations for President and Vice-President can be found on pages 27-28 and 41-42, and the vote totals for RFK, Jr. showing only 19 votes with none of those from Colorado can be found on page 230.

Rules 24.3.1 and 24.3.3. Therefore, in the absence of a submission of a withdrawal form from either candidate, our office must proceed with placing Mr. Oliver and Mr. ter Maat on the Colorado ballot as the Libertarian Party candidates for President and Vice-President.... in the absence of a withdrawal form from either candidate, those discussions would not affect our determination the candidate paperwork we have received for the Libertarian Party is complete. (see Exhibit 10 to the initial Petition – Email from Colorado Secretary of State dated July 24, 2024)

20. **Colo. Rev. Stat. §1-4-302** provides as follows (highlight added):

Party nominations to be made by convention.

(1) Any convention of delegates of a political party or any committee authorized by resolution of the convention may nominate presidential electors.

(2) All nominations for vacancies for presidential electors made by the convention or a committee authorized by the convention shall be certified by affidavit of the presiding officer and secretary of the convention or committee.

There was no vacancy committee provided by the 2024 Annual LPCO convention (see Exhibit 18 – Draft Minutes of 2024 LPCO Annual Convention). A mere standing mention in the minor party Bylaws is not sufficient. No elector vacancies whatsoever may be made by vacancy committee for the LPCO.

21. Since the LPCO has announced its intention to hold a partially invalid “vacancy committee” on August 12, 2024, with the intent to nominate Robert F. Kennedy, Jr. and Nicole Shanahan as its Presidential and Vice-Presidential nominees (or any other persons other than Chase Oliver and Mike ter Maat), an emergency temporary restraining order is needed to keep this from confusing voters, prejudicing the legitimate nominees, and being distributed to the press. (see Exhibit 9 to the initial Petition – Denver Post Legal Notice) and (see Exhibit 19 – August 1, 2024 *Denver Post* article in which LPCO declares its continued violative intentions). Neither the LPCO Bylaws nor Colorado state law, as noted in the General Allegations, provide for the LPCO to directly nominate Presidential or Vice-Presidential candidates at their annual Convention or by any alleged “vacancy committee.”

II. Legal Standard

22. In Colorado, the issuance of a TRO is governed by C.R.C.P 65(b), and its primary purpose is to prevent immediate and irreparable harm to one of the parties in the suit. City of Golden v. Simpson, 843 P.3d 87. Although it can be gone without notice, the parties have been served in this conflict.

23. A TRO would preserve the status quo. The status quo is clearly the inclusion of the duly nominated Libertarian Party Presidential and Vice-Presidential ticket on the Colorado Libertarian ballot line as indicated by the official communication from the Secretary of State.

24. There is a danger of real, immediate, and irreparable injury which may be prevented by a TRO. The voting process is under tremendous scrutiny in today’s political climate. The

LPCO Bylaws and the LPN Bylaws are clear on the selection process of the Libertarian Presidential and Vice-Presidential candidates. Colorado voters will be irreparably harmed if this process is permitted to be sabotaged and recklessly disregarded by the LPCO and GOODMAN.

25. The TRO is necessary to prevent harm: Although the Secretary of State has clearly indicated that absent a withdrawal of candidacy from the Official Libertarian Ticket, the submission for the Colorado Libertarian Presidential and Vice-Presidential ballot line is complete (*see* Exhibit 10 to the initial Petition – Email from Colorado Secretary of State dated July 24, 2024), the LPCO and GOODMAN have indicated that they intend to continue to pursue putting RFK, Jr. and Nicole Shanahan on this ballot line despite RFK, Jr.'s overwhelming rejection at the Libertarian Party national convention, including earning zero votes from Colorado delegates (*see* Exhibit 17 to the initial Petition – Article dated July 24, 2024 from CPR News).

26. There is no plain, speedy, and adequate remedy at law. The Secretary of State has already issued an opinion upon which the membership and public, including HARLOS, should be able to rely upon the contractual agreement and with the rapidly approaching deadlines for finalization of the candidates to appear on the November general election ballot.

27. The granting of a TRO will not disserve the public interest. Colorado voters will not be harmed by RFK, Jr. and Nicole Shanahan not appearing on the Libertarian Party ballot line as they have already collected and turned in enough petition signatures to appear on the Colorado general election ballot as Independents. Colorado voters are harmed by less choice, not more. Colorado Libertarians, and HARLOS in particular, is harmed by having her political agency and freedom of political association shamelessly and lawlessly stripped away by a rogue Board of Directors and Chair of the LPCO.

28. The balance of equities favors the TRO. The membership, including HARLOS, has a right to be able to count on the contractual agreement between the membership and the LPCO, and the balance of power lies squarely on the side of the LPCO Board who has scoffed at the Bylaws, claiming Bylaws pale in the light of “relevance” and “doing things differently, whether or not the rules permit it.”³ Equity demands that the members are not left impotent when those in “control” deprive them of their rights.

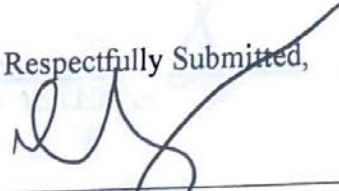
29. There is reasonable probability of success on the merits on the part of the movant: The contractual obligations as set forth in the General Allegations are clear and the importance to the public of choice and political freedom of association is so overwhelmingly paramount that there is little doubt or ambiguity on this issue. The lawlessness and disregard of the LPCO and GOODMAN toward the rights of the members of the LPCO is established by clear and convincing evidence as well as their determination to pursue continuation of this posture.

³ For examples, the behavior of the LPCO Board and its supporters in discounting the importance of contractual relationship binding the Party can be found in the open comment portion of this meeting: <https://www.youtube.com/watch?v=r4-NMouncqc>, particularly the LPCO Executive Director Jim Wiley beginning at timestamp 12:33 who openly admitted there is now a “power exchange” (non-consensual) from the membership to the Board who will make the Party to what it will inevitably be with the implication that bylaws are no obstacle in this naked Game of Thrones game. Many of the comments that follow are also instructive in their utter disregard for the Party principles and bylaws.

WHEREFORE, HARLOS requests that this Court issue an Emergency TRO until a hearing on a temporary or permanent injunction against the LPCO and GOODMAN can be heard restraining them from holding any "vacancy committee" meeting on August 12, 2024.

DATED this 5th day of August 2024

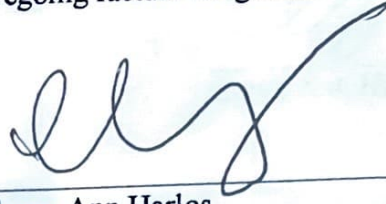
Respectfully Submitted,



Caryn Ann Harlos, *pro se*

VERIFICATION

I, Caryn Ann Harlos, as a member of the Libertarian Party of Colorado, declare under penalty of perjury of the law of the State of Colorado that the foregoing factual allegations are true and correct to the best of my knowledge and belief.

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

Caryn Ann Harlos

CERTIFICATE OF SERVICE

Petitioner affirms that this Verified Motion for Emergency Temporary Restraining Order ("TRO") has been mailed to the Respondents via US Mail and to the Respondents' email of statechair@lpcolorado.org on August 5, 2024.


Caryn Ann Harlos, Pro Se



T LIBERTARIAN

PARTY OF COLORADO

SECRETARY'S MINUTES – LPCO Convention March 23, 2024

Video of meeting

The video for this meeting can be found at:

<https://www.youtube.com/watch?v=vvqMTxRJGKc> and

<https://www.youtube.com/watch?v=xat1c6Tvok0>

Secretary's note

Please note that the Convention Secretary, Mr. Andrew Buchkovich, had several work-related issues and needed help compiling these minutes. I, Ashley Buss, have tried my best to compile these minutes from the video recordings found on YouTube. But the audio was a challenge; thus, human errors will have crept in.

Call to Order

Goodman called the convention to order at 9:00 a.m. It was held at the Masonic Center, Colorado Springs, Colorado. (1150 Panorama Dr, Colorado Springs, Colorado. 80904).

Convention Committees and Convention Officials

Goodman Stated that Mr. Andrew Buchkovich would be acting as the Convention Secretary, and Andrew has many excellent years of service with the LPCO.

Goodman stated that our Credential Committee Chairperson would be Mr. Eric Bueltel.

Goodman asked for someone to be the Timekeeper, and Mr. Josh Lellemant volunteered.

Goodman asked for the Teller Team (*No information on the video tells me who the tellers were*)

Goodman asked for someone to be the Sergeant at Arms, and Mr. Eric Joss volunteered.

Meeting

Goodman asked for the Credential Committee Report; it was reported that currently, 41 delegates are in attendance. The Secretary read out the names to make sure no one was missed. Exhibit A shows the complete list of Delegates.

A motion to accept the Credential Committee Report was duly made and seconded; without objections, the motion passed.

Goodman asked for the numbers with 41 delegates: 22 would be majority, and 28 would be 2/3rds.

Goodman asked for the agenda's approval. A motion to approve the agenda was made, duly seconded without objections, and the motion passed.

Goodman asked that Board members present to give a short report on their accomplishments for the past year.

Chairperson (Goodman) stated that we have had more press coverage this year and have been successful in spreading Liberty across Colorado's political landscape.

Vice Chair (Gonzalez) is currently at an Arapahoe County event supporting his bid to become a County Commissioner. But he will be attending later.

Treasurer (Williams), a building year, just moved to the treasurer from Assistant Treasurer, and we have submitted a financial report with a few minor issues, but we are in much better shape.

Secretary (Buchkovich), having taken a position with National, time has been limited but has helped define roles for the Board of Directors, helping with more consistent messaging. But the secretary role has taken a backseat somewhat this year for which apologies are fully given.

Affiliates (Vacant)

Campaigns (Luria), Integration of National's Photo-Gravity software helps to get data from campaigns for a fraction of the cost. We need candidates for local races; we must nominate candidates today and decide if you will stay in later.

Fundraising (King), Thank you! Goodman thanked Erin for the vast amount of work that she had done on behalf of the party.

Legislative (Vance), active Sunday nights at 7:30 p.m. on YouTube, helping to explain all the bills that are going through, started with only thirty views, but now we are building to over one hundred views consistently.

Membership (Buss), is still at Kinkos getting ballot papers printed.

Goodman called for nominations for delegates and alternates to the National Convention, which will be held in Washington, DC, this year.

Mr. Aitken nominated himself.

Mr. Levy nominated himself, but Ms. Caryn Ann Harlos motioned that Mr. Levy needed to meet the requirements. This motion was seconded, but the Chair ruled it out of order. The matter was referred to the Judicial Committee.

The Chair called for a recess while the Judicial Committee considered the matter.

Goodman called the convention back to order, and the Judicial Committee reported that, by unanimous decision, Mr. Levy does not currently meet the requirements to be a voting delegate at this or the National convention. However, the Judicial Committee did say that the Board of Directors could allow Mr. Levy to attend the National Convention once all requirements have been met.

A motion to reconsider the Credentials Report was seconded, and the Chair stated that we need to remove Mr. Seth Levy from the report, which will change the number. It was suggested that we reopen Credentialing during the break to ensure this is correct. So, with the removal of Mr. Levy with 40 delegates, 21 would be majority, and 27 would be 2/3rds.

Harlos point of order is that the delegates who completed the application should be automatically nominated, could we have their names:

Agostino Cantavero
Hannah Goodman
Andrew Gitzendanner
Caryn Ann Harlos
Eliseo Gonzalez
John Hjersman
Richie Frangiosa
James Williams
Kyle Furey

Harlos motioned that we suspend the bylaws to allow us to use plurality voting for the top thirty-three delegates. This motion was seconded, and with objections and a hand vote, the motion failed.

The Chair stated that under our bylaws, delegates can't be automatically nominated.

Back to nominations

Sean Vadney
Lucas Baumgertner
Agostino Cantavero
James Williams
Caryn Ann Harlos
John Hjersman
Joe Johnson
Wayne Harlos
Hannah Goodman
Jacob Luria
Joseph Caplin
Richie Frangiosa
Michael Vance
Eliseo Gonzalez
Kyle Furey
Nick Bennett
Joseph DiBiasio
Andrew Gitzendanner
Janeet Turner
Aron Lam
Erin King
James Wiley
Marc Montoni
Marc Cavin
Mario Ricci
Ann Bennet
Rees LaBree
Doug Jones
Justin Say

Motion to allow delegates to have over lunch to decide on their ballots for the national delegates as there are so many names. The motion was seconded, there were no objections, and the motion passed.

The Chair opened the floor to alternate delegations nominations to the Nation Convention.

Motion to automatically convert delegates into alternate nominations if not elected as a delegate. Seconded, there being objections, with a hand vote the motion failed.

Nicholas Lance

Justin Savoy
Jamet Turner
Marc Montoni
David Atkins
Wayne Harlos
John Hjersman
Joe Johnson
Marc Cavin
Michael Vance
Caryn Ann Harlos

Nominations are closed.

Now, to nominations for the board of directors positions.

Nominations for the Outreach Director: Mayor Lam nominated Ms. Steinke, any other nominations?

A motion to suspend the rules and elect Board Directors by a hand vote was seconded, and there were no objections, so the motion passed.

By hand vote, Ms. Steinke was elected outreach director.

Nominations for the Secretary James Williams nominated Mr. Buss, any other nominations?

By hand vote, Mr. Buss was elected Secretary.

Nominations for the Legislative Director Mr. Walk nominated Mr. Vance, any other nominations?

By hand vote, Mr. Vance was elected Legislative Director.

Nominations for the Treasurer: Mayor Lam nominated Ms. Spink, and Ashley Buss nominated Mr. Williams. Are there any other nominations?

The Chair allowed Ms. Spink and Mr. Williams to speak, then offered anyone who wished to speak a chance.

By hand vote, Ms. Spink was elected Treasurer.

Nominations for the Fundraising Director, none.

Nominations for the Affiliates Director, none.

Nominations for the Membership Director: Buchkovich nominated Mr. Williams; are there any other nominations?

By hand vote, Mr. Williams was elected Membership Director.

Nominations for the Campaigns Director: Pendleton nominated Mr. Luria; are there any other nominations?

By hand vote, Mr. Luria was elected Campaigns Director.

Move to adjourn for lunch.

Motion to take a short recess to allow delegates to check their ballots after lunch to ensure they were not tampered with. This motion was amended to allow delegates to collect their ballots, check them, and hold them until, after speeches when they will be returned ready for tabulation; this was seconded and passed with no objections.

The Chair asked for the updated credentials report, 47 delegates, 24 would be majority, and 32 would be 2/3rds. The Chair asked for a motion to accept the credentials report; this was seconded and passed with a vote of the delegation.

Goodman gave a speech on why she would like the nomination to be a delegate at the national convention, citing her work at the Reno convention and with the LNC.

DiBiasio explained that he votes with integrity.

Bennett explained that she had been many times.

Harlos explained that all of her travel plans have been made, and she needs to be there anyway.

Harlos (Wayne) explained that being the past LPCO Chair, and he knows his way around the system.

Vadney explained that he has worked on campaigns and at the state level, also that he will vote with integrity.

Vance would love to attend the National Convention.

Atkins has been the State Chair, along with other positions, and is currently the Database Manager.

Mario Ricci has been a Libertarian for a while.

Lucas Baumgartner has been a lifelong Libertarian and a Young Americans for Liberty member, spearheading movements to free us of COVID-19 vaccine mandates.

Marc Montoni in the third person.

Joe Johnson will be honored to attend the National Convention.

Truner lives in El Paso County and questions everything.

John Kittleson, a lifelong Libertarian, has been to three National Conventions and would like to go again.

Caryn Ann Harlos informed the convention that we need to elect Presidential Electors who will vote in the Electoral College for the President; she was unsure of the amount we needed.

Presidential Elector's nominations / Electoral College.

Jacob Luria
Kyle Furey
Sean Vadney
James Wiley
Keith Laube
Eliseo Gonzalez
Marc Cavin
Wayne Harlos
Agostino Cantassero
John Kittleson

Caryn Ann Harlos motioned to close nominations and elect the nominees by acclamation. It was seconded there being no objections motion passed.

Wayne Harlos, we have three delegates going for the National Party office: Hannah Goodman, Caryn Ann Harlos, and Kathy Yeniscavich; they need encouragement and monetary support.

US House race nominations.

Congressional District 2 - Nayland Kent, the peace candidate, and NOTA were nominated. Kent was nominated 32 to 3 by a show of hands.

Congressional District 3 - James Wiley, running on peace, and NOTA were nominated. James was nominated 22 to 2 by a show of hands.

Congressional District 4 (Special) - Hannah Goodman, and NOTA were nominated. Hannah was nominated 29 to 0 by a show of hands.

Congressional District 4 – Hannah Goodman, and NOTA were nominated. Hannah was nominated 32 to 1 by a show of hands.

Congressional District 5 – Micheal Vance, bring down the national debt, and NOTA were nominated. Micheal was nominated 33 to 0 by a show of hands.

Congressional District 6 – John Kittleson, not a politician, and NOTA were nominated. John was nominated 30 to 1 by a show of hands.

Congressional District 7 – Patrick (missed the last name) , and NOTA were nominated. Patrick was nominated 31 to 0 by a show of hands.

Congressional District 8 – Eric Josh, the candidate for liberty, and NOTA were nominated. Eric was nominated 31 to 0 by a show of hands.

State District 5 – Janet Turner was nominated by a show of hands.

State Senate 2 - Caryn Ann Harlos was nominated.

State Senate 6 = Fredrick Williams was nominated.

It was moved to suspend the rules so that we could vote for all of the Senate nominations with one vote. The motion was seconded, and there being no objections, it passed.

State Senate District 10 - John Hjersman

State Senate District 12 - John Angle

State Senate District 14 - Jeff Brosius

State Senate District 17 – Ethan Argreen

State Senate District 19 – Ryan Van Dundee

State Senate District 26 – Kyle Furey

State Senate District 29 – Robert Harrison

State Senate District 16 – Bennett Ruttleage

All nominations are accepted with a show of hands.

It was moved to suspend the rules so that we could vote for all of the County nominations with one vote. The motion was seconded, and there being no objections, it passed.

Arapahoe Commissioner 1 – Joshua Lallement

Arapahoe Commissioner 5 - Eliseo Gonzalez

Fremont Commissioner 3 – David Elum

Douglas County Assessor – Sean Dang

All nominations are accepted with a show of hands.

Jeffco County Commissioner 1 – Orion Shahammer

This nomination was accepted with a show of hands.

State House District 2 – James Swanson
State House District 3 – Clinton Casio
State House District 13 – Richie Franioka
State House District 18 – Greg Lower
State House District 22 – Danial Richie
State House District 23 – Andrew Buchkovich
State House District 25 – David Williams
State House District 29 – Richie
State House District 33 – Tom Shooter
State House District 34 – Nathan Bishop
State House District 38 – Brandon McDow
State House District 40 – Allison Spink
State House District 41 – Keith Porter
State House District 53 – Chistina Johnson
State House District 56 – Amy Lindy
State House District 61 – Joe Johnson

All nominations are accepted with a show of hands.

State Senate District 31 – David Aitken

Goodman stated that we have contracted with James Wiley to overhaul our internal documents and professionalize the organization in general. James Wiley has become our Executive Director on an interim basis.

A motion to extend time was seconded, and there being no objections was passed.

Exhibit B is the slate of delegates, and Exhibit C is the slate of alternatives.

A motion to automatically place candidates who did not make the delegate list to be added as alternates. This motion failed earlier.

There was a motion to suspend the rules and allow alternate delegates to vote by acclamation. The motion was seconded, and there were no objections.

Motion for adjournment.

Credential Committee Report

David Aitken
James Beetem
Nick Bennett
Anna Bennett
Mason Bishop
Ashley Buss
Agostino Cantavero
Jennifer Coop
Joseph DiBiasio
Jessica Fenske
Kyle Furey
Andrew Gitzendanner
Hannah Goodman
Caryn Ann Harlos
Wayne Harlos
John Hjersman
Douglas Jones
Eric Joss
Erin King
Aron Lam
Keith Laube
Jacob Lurie
Marc Montoni
Emily Ricci
Justin Savoy
Daniel Schinsky
Sean Vadney
Michael Vance
Brandon Wark
James Williams
James Wiley
Kyle Ruff
Janet Turner
Mario Ricci
Andrew Buchkovich
Eric Buelte!
Emily Platania
Winrich Cruz
Lucas Baumgartner

Joshua Lallement
Donald Dotson
John Kittleson
Joe Johnson
Bennett Rutledge
Nicholas Lance
Marc Cavin
Eliseo Gonzalez

Total Delegates = 47 50% total = 24 and 67% total = 32

Eric Duerfel - Credentials Committee
March 23, 2024, Colorado Springs, Colorado.

Delegates

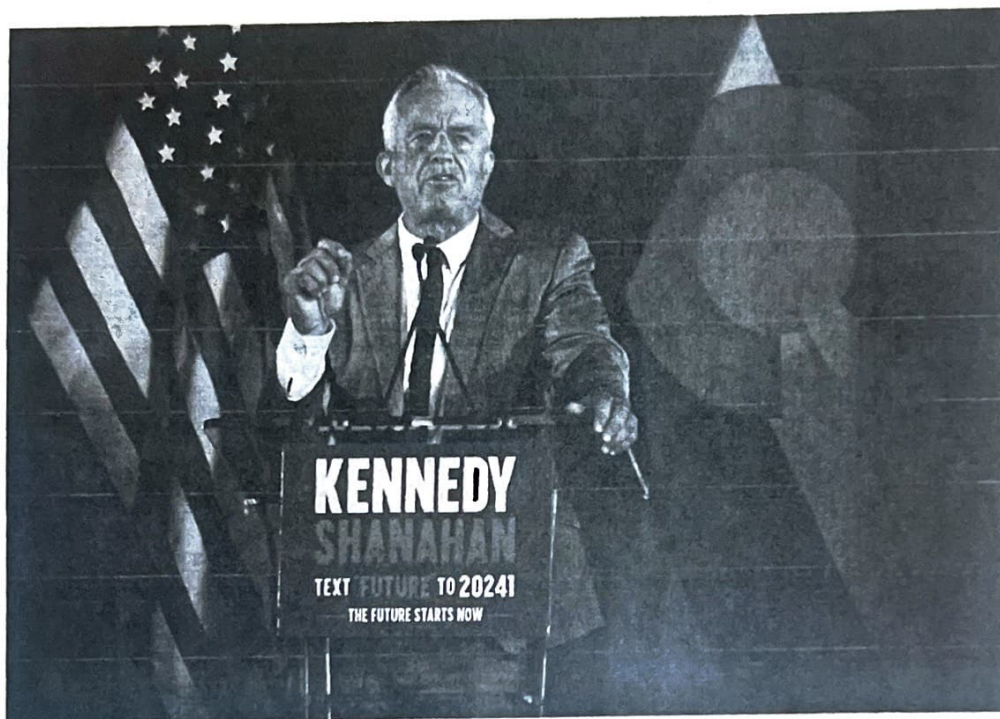
		(A)	(B)	(C)
38	David Aitken	HT HT = 10	HT HT HT = 13	HT HT HT = 11
37	Sean Vadney	HT HT = 9	HT HT HT = 13	HT HT HT = 11
26	Marc Montari	HT HT = 7	HT HT HT = 10	HT HT HT = 11
32	Lucas Brungartner	HT HT = 10	HT HT HT = 11	HT HT HT = 11
31	Cayan Ann Hanks	HT HT = 11	HT HT HT = 10	HT HT HT = 11
34	Joe Johnson	HT = 4	HT = 6	HT = 7
36	Wayne Harlos	HT HT = 10	HT HT HT = 12	HT HT HT = 11
20	John Hjersman	HT HT = 5	HT HT = 6	HT HT HT = 9
35	Hannah Gordin	HT HT HT = 11	HT HT HT = 10	HT HT HT = 11
32	Marc Cavin	HT HT = 9	HT HT HT = 10	HT HT HT = 11
37	Jacob Loria	HT HT HT = 10	HT HT HT HT = 14	HT HT HT = 11
32	Mario Ricci	HT HT HT = 9 + 1 = 10	HT HT HT = 10	HT HT HT = 11
31	Michael Vance	HT HT HT = 9	HT HT HT HT = 10	HT HT HT = 11
40	Eliseo Gonzalez	HT HT HT HT = 3	HT HT HT HT = 13	HT HT HT HT = 11
38	Anna Bennett	HT HT HT = 9	HT HT HT HT = 11	HT HT HT HT = 11
22	James Williams	HT HT HT = 7	HT HT HT HT = 8	HT HT HT HT = 7
30	Nick Bennett	HT HT HT = 7	HT HT HT HT = 11	HT HT HT HT = 11
33	Joe DiBascio	HT HT HT = 10	HT HT HT HT = 10	HT HT HT HT = 11
36	Richie Frangiosa	HT HT HT HT = 9	HT HT HT HT HT = 13	HT HT HT HT HT = 14
37	Agostino Cantavero	HT HT HT HT HT = 11	HT HT HT HT HT = 13	HT HT HT HT HT = 11
13	James Turner	HT HT HT HT HT = 11	HT HT HT HT HT = 11	HT HT HT HT HT = 11
38	Kyle Finney	HT HT HT HT HT = 14	HT HT HT HT HT = 11	HT HT HT HT HT = 11
14	Andrew Gitco-Dunn	HT HT HT HT HT = 5	HT HT HT HT HT = 3	HT HT HT HT HT = 6
32	Ees LaBree	HT HT HT HT HT = 9	HT HT HT HT HT = 10	HT HT HT HT HT = 11
33	Erin King	HT HT HT HT HT = 10	HT HT HT HT HT = 9	HT HT HT HT HT = 11
36	James Willy	HT HT HT HT HT = 11	HT HT HT HT HT = 11	HT HT HT HT HT = 11
4	Doug Jones	HT HT HT HT HT = 1	HT HT HT HT HT = 2	HT HT HT HT HT = 2
17	Jessica Lucke	HT HT HT HT HT = 6	HT HT HT HT HT = 8	HT HT HT HT HT = 5
2	Justin Say	HT HT HT HT HT = 1	HT HT HT HT HT = 1	HT HT HT HT HT = 1
1	Nicholas Kace	HT HT HT HT HT = 1	HT HT HT HT HT = 1	HT HT HT HT HT = 1
1	Rebekah	HT HT HT HT HT = 1	HT HT HT HT HT = 1	HT HT HT HT HT = 1
1	Reyd Dobson	HT HT HT HT HT = 1	HT HT HT HT HT = 1	HT HT HT HT HT = 1
1	Daniel Schilly	HT HT HT HT HT = 1	HT HT HT HT HT = 1	HT HT HT HT HT = 1
1	NOTA	HT HT HT HT HT = 1	HT HT HT HT HT = 1	HT HT HT HT HT = 1

44 ballots

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Robert F. Kennedy Jr. will be on Colorado's presidential ballot, but Libertarian dispute continues

In quixotic fight, local and national Libertarian officials appear to be heading for brick wall: state law



Independent presidential candidate Robert F. Kennedy Jr. speaks during a voter rally at The Hangar at Stanley Marketplace in Aurora on May 19, 2024. Kennedy talked about his plans to "restore the middle class, unravel corporate capture of government agencies, unwind the are machine, end chronic disease epidemic, reduce the national debt, make homes affordable again, and protect constitutional rights." (Photo by Helen H. Richardson/The Denver Post)



By **SETH KLAMANN** | sklamann@denverpost.com | The Denver Post

UPDATED: August 1, 2024 at 6:15 p.m.



EXHIBIT 19

Robert F. Kennedy Jr. has qualified for Colorado's presidential ballot as an unaffiliated candidate, state election officials said Thursday, while an escalating internal dispute about him between state and national factions of the Libertarian Party continues.

But the Colorado Libertarians' separate attempt to designate Kennedy and his running mate, Nicole Shanahan, on the party's ballot line appears to be on a collision course with state law.

Regardless, Kennedy supporters last month turned in a sufficient number signatures to cement the independent candidate's place on the November ballot, the Colorado Secretary of State's Office said. The campaign needed 12,000 valid signatures to earn a place on the ballot, and it submitted just under 30,000. More than 21,700 were determined to be valid.

Kennedy, the controversial anti-vaccine scion of the dynastic Kennedy family, has collected signatures to appear on the ballot in 42 states, his campaign said in a press call Wednesday. He initially filed to challenge President Joe Biden in the Democratic primary last year before switching to an independent run.

Kennedy has pursued a variety of strategies to achieve ballot access across the country, from gathering signatures to partnering with smaller parties to forming new ones entirely.

His pursuit of an unaffiliated spot in Colorado comes as state Libertarians say they'll still work to list him as their candidate — despite the national party already placing its ticket on the state's ballot. Hannah Goodman, the state party chair, told The Denver Post in a text earlier this week that the local party will nominate Kennedy at an Aug. 12 meeting and will then file the paperwork needed to put him on the ballot again.

AD

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after the ad

But presidential candidate Chase Oliver and his running mate, Mike ter Maat, who were formally
nominated by the national Libertarian Party to Biden, have already filed to appear on the ballot here.

Caryn Ann Harlos, the Colorado-based national party secretary who previously accused her local counterparts of "craven opportunism" for backing Kennedy — after they rejected Oliver as insufficiently aligned with their principles — recently filed a lawsuit to prevent Goodman and the state party from doing anything further to place Kennedy on the ballot as the Libertarian candidate. Goodman declined to comment on the lawsuit.

On Wednesday's press call, Kennedy's campaign manager, Amaryllis Kennedy, said the campaign was "very interested" in appearing on the ballot twice.

"If we're able to put RFK's name on the ballot with both independent and the Libertarian Party of Colorado, we'll be very proud to do so," Amaryllis Kennedy said. "We'll have an answer to you as soon as we know the answer to that ourselves, and when Colorado's secretary of state knows the answer to that."

According to the secretary of state's office, they've already provided the answer: Not possible.

"Colorado law does not allow a candidate to appear twice on the same ballot for the same office, nor does it allow a candidate to appear on a ballot with multiple affiliations," spokesman Jack Todd wrote in an email Wednesday, shortly after the Kennedy campaign call.

The office's legal manager emailed state and local Libertarian officials last week and told them that Chase and ter Maat would appear on the Colorado ballot as the Libertarian candidates, unless they decided to withdraw. The manager also told state party officials that Kennedy had filed signatures to appear on the ballot as an independent candidate and that he could not appear on the ballot twice under Colorado law.

Asked Thursday about the apparent illegality of pursuing Kennedy as the Libertarian candidate under those circumstances, Goodman referred questions to the state party's executive director, James Wiley. Wiley did not return a message seeking comment.

The Kennedy campaign also did not return a message seeking comment Thursday.

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