

CLOSED CAPTION.TXT

**In the Matter of *Roos et al. vs. LNC***

**Judicial Committee Hearing**

**Oct 26, 2025, 3pm CDT**

[https://lpedia.org/wiki/In\\_re:\\_Adoption\\_of\\_Special\\_Investigatory\\_Report\\_and\\_Other\\_Resolutions\\_Adopted\\_at\\_June\\_9,\\_2025\\_Special\\_Meeting\\_\(Roos\\_et\\_al.\\_vs.\\_LNC\)](https://lpedia.org/wiki/In_re:_Adoption_of_Special_Investigatory_Report_and_Other_Resolutions_Adopted_at_June_9,_2025_Special_Meeting_(Roos_et_al._vs._LNC))

15:05:26 Alrighty, we're going to convene this at 3.05.  
15:05:30 Central, on Sunday the 26th. This is the, ¨  
15:05:34 Judicial hearing,  
15:05:35 Relating to the, ¨  
15:05:38 current appeal regarding the Special Investigative Committee report and subsequent motions.  
15:05:46 We have 5 members of the Judicial Committee here for a quorum.  
15:05:50 I see Mr., ¨  
15:05:52 Turn off Mr. Latham, Mr. Stratton, Mr. Krawchuk, and myself.  
15:05:58 Everybody should be able to see on the screen the agenda for this hearing.  
15:06:05 everybody will be muted until it is their turn to speak. We will not have crosstalk.  
15:06:10 So that everybody has a chance to present their case and answer, ¨ and ask their questions.  
15:06:16 We have 10 minutes for opening statements, 5 minutes for rebuttal, and 5 minutes each for closing arguments.  
15:06:23 Those time limits will be, ¨  
15:06:25 enforced, as close to those moments as possible.  
15:06:31 At this point, I wish to ask, uh, ¨  
15:06:34 Mr. McGee, are you representing the LNC, or is someone else?  
15:06:50 And Mr. McGee appears to be muted.  
15:06:54 My apologies, yes, Mr. McGee is present.  
15:06:57 Are you, ¨ will you be presenting for the LNC?  
15:07:01 Yes, sir.  
15:07:01 Okay, and we have, ¨ I see Mr. Martin had his hand raised. Are you presenting for the appellants?  
15:07:09 I apologize, my hand being up was an error. I believe I will be presenting, if called upon, by the, uh, by the petitioners.  
15:07:19 Mr. Wheat?  
15:07:20 It's expected to be me, uh, Austin Martin, and, uh, and, ¨  
15:07:25 Jonathan Jacobs, if he can join us, even if he has to join me  
15:07:29 Uh, via speakerphone.  
15:07:31 Thank you, Mr. Roos.  
15:07:34 Do one more registration check real quick, just to make sure.  
15:07:39 We have a new one, and, ¨ okay.  
15:07:42 Mr. Jacobs is approved to get in here, so he should be able to join us momentarily.  
15:07:48 We will stand at ease for a moment for that purpose.  
15:11:34 Right. We're going to resume recording.  
15:11:40 And at this point, um, the appellants will have 10 minutes to give their opening statements.  
15:11:48 Alright, that will be me then.

15:11:52 Uh, good at my being timed?  
15:11:53 Yes, you are.  
15:11:54 Is this ready? Alright. Uh, good afternoon, members of the Libertarian Party Judicial Committee.  
15:11:58 Thank you for your service to this party.  
15:12:00 Uh, this has,Ä this has been the most interesting term of the Judicial Committee I've ever seen, uh, and,Ä  
15:12:06 For introductions, I'm Hector Roos, and I address you today not just on my own behalf, but on  
15:12:13 On many, many members who,Ä  
15:12:14 who signed this petition, who value due process, transparency, and the foundational principles upon which our party stands.  
15:12:21 Uh, this member's appeal before you is in regard to the actions related to the LNC's adoption  
15:12:26 of the Special Investigatory Report at the June 9, 2025 special meeting.  
15:12:31 Uh, this special investigatory report and related resolutions were adopted with glaring factual errors  
15:12:39 an opinion that misrepresented as facts. Uh, these items were noticed and presented in a rushed manner, presenting a critical breakdown in party governance.  
15:12:46 Uh, the LNC majority defends its actions by claiming mere procedural correctness.  
15:12:51 Our bylaws are not mere parliamentary law, but also contain  
15:12:56 our libertarian ethos, represented by the statement of principles.  
15:13:00 The Libertarian Party is not supposed to be like the duopoly parties, where personal ambition drives the bus, so to speak.  
15:13:07 As libertarians, we're supposed to model the behavior that we want others to emulate.  
15:13:28 Stand by. That might have been my fault. Hold on a moment, please. Mr. Roos, can you unmute? Or I'm gonna ask you to unmute.  
15:13:33 Okay, do I,Ä do I start from the beginning?  
15:13:36 No, just, uh, go back about,Ä  
15:13:40 Oh, 20 seconds.  
15:13:43 Okay, uh, so, uh, this special investigatory report and related resolutions were adopted with glaring factual errors and opinions misrepresented as facts.  
15:13:55 Uh, these items were noticed and represented in a rushed manner.  
15:13:59 Presenting a critical breakdown in party governance.  
15:14:01 The LNC majority defends its actions by claiming mere procedural correctness.  
15:14:06 Our bylaws are not mere parliamentary law.  
15:14:09 but also contain our libertarian ethos, represented by the statement of principles.  
15:14:14 The Libertarian Party is not supposed to be like the duopoly parties, where personal ambition  
15:14:19 drives the bus, so to speak. As libertarians, we're supposed to model the behavior that we want others to emulate.  
15:14:26 This is an inflection point in our party's history. Are we a party of principals or not?  
15:14:32 How did we get here?  
15:14:34 Immediately after the Reno takeover, the LNC under Angela McArdle was facing significant financial pressure.

15:14:41 Eventually, the LNC agreed to let Angela become an interim executive director to save the partying money and to right the ship.

15:14:48 Being Executive Director authorized her to enter into vendor contracts independent of the LNC,

15:14:53 And the flexibility to terminate employment agreements. By the time she had resigned as chair, the party was doing financial better.

15:15:00 Most LNC members rarely question on how

15:15:03 She was doing it. The LNC was largely hands-off and let Angelite take unilateral action with the help of a small number of LNC members.

15:15:11 The point is, is that,Ä¶

15:15:13 what we've not heard from the LNC is, was her behavior authorized or not?

15:15:18 And that is also not answered in the SIC report.

15:15:21 So, naturally, since LNC members weren't paying attention when the report by Jake Porter was published in January accusing Angela of wrongdoing, many LNC members were caught off guard not knowing what was true.

15:15:32 As shown in the appeal brief, this petitioner immediately refuted Mr. Porter's accusations, which

15:15:37 unsupported by real evidence, save whatever was provided by an anonymous source.

15:15:42 As Angela has explained in her fact sheet, LNC members who once supported her made their demand for her to resign or face consequences.

15:15:49 She did resign and moved on to start a ministry supporting the freedom of federal prisoners, including Ross Albrecht and

15:15:55 Roger Burr and many others. Despite promises to leave her alone, the LNC continued to pressure her to work with them and finally presented the

15:16:02 SIC report, as we have seen it, full of inaccuracies, incompleteness, and false pretenses.

15:16:07 Petitioners waited months before it was clear that the LNC had no interest in redoing the SIC report at the very least.

15:16:13 I mean, it's important to understand the claims of misrepresentations.

15:16:17 These misrepresentations are not severable, meaning the entire LNC report would have to be redone in order to fix these misrepresentations.

15:16:23 Let's be clear at this stage that the LNC written response is only defense

15:16:29 is that the LNC is not bound by the statement of principles, alluding to some loophole.

15:16:33 Meaning they can make these misrepresentations without any

15:16:37 a consequence. And the misrepresentation we're talking about are those simply defined

15:16:41 In the SIC report, they define things, we check what they say in the VESIC report,

15:16:47 They don't,Ä¶ they don't match.

15:16:49 So there's issues of a lack of independence in the report, there's factual incorrectness, including mentions of

15:16:54 of DC code that doesn't even apply here.

15:16:57 Uh, and so intent is actually not necessary to get into the,Ä¶

15:17:02 The heart of the matter of this appeal.

15:17:05 Simply looking at, uh, what, uh, simply looking at whether claims match what's actually said. And we've seen this before.

15:17:12 In past JC Appeals, particularly in the defense of Ms. Harlos,  
15:17:19 Um, and we'd like that same, uh, same standard to apply here.  
15:17:23 So, that's the real elephant in the room, isn't,Ä¶ is what the  
LNC has actually done here.  
15:17:29 And I think the issue of,Ä¶  
15:17:32 Uh, the response is very interesting regarding the statement of  
principles.  
15:17:36 Uh, that I'd like JG to fill, uh, to speak for the rest of the  
time here in regards to our opening statement. JJ?  
15:17:43 Okay, thank you. Um, I hope you all can hear me.  
15:17:48 Can you all hear me?  
15:17:50 Okay, thank you. Um,Ä¶  
15:17:53 I want to start out by saying something from quoting Robert,  
which is by,Ä¶  
15:17:58 It's, uh, 65, uh, colon 68 number 4.  
15:18:03 There is a presumption that nothing has been placed in the  
bylaws without some reason for it.  
15:18:09 Section 3.1 of the bylaws say,  
15:18:12 Uh, the statement of principles affirms the philosophy.  
15:18:17 Upon which the Libertarian Party is founded,  
15:18:20 By which it shall be sustained.  
15:18:22 And through which it shall prevail.  
15:18:26 That is binding. There is a,Ä¶  
15:18:29 must be a presumption that that clause is binding on the  
libertarian part.  
15:18:35 on all of us. The members,  
15:18:36 the various organs of the party, the LNC, even the JC.  
15:18:40 Even the convention.  
15:18:42 There was something raised in an amicus that, um,Ä¶  
15:18:46 Where's that emesis? I'm never any good with wet.  
15:18:50 that talked about, um,  
15:18:52 This would only apply to property. Well,Ä¶  
15:18:56 Uh, in the SIC,  
15:18:59 report, they're actually asking for donations.  
15:19:03 Uh, they're looking at fundraising.  
15:19:05 As was the case with one of the original motions that has since  
been ruled.  
15:19:09 Uh, boy.  
15:19:11 Uh, they actually said that they are looking for,Ä¶  
15:19:14 A donor or donors that are willing to make sufficient  
contributions to a legal fund.  
15:19:21 So they are asking for money in this.  
15:19:23 And I'm going to submit that they are asking for money  
15:19:27 by misrepresenting the situation.  
15:19:29 Money is a type of property. Unless taxation is not theft.  
15:19:38 We can take a look at this. This alone should be enough, because  
I don't believe it is in any way ambiguous.  
15:19:43 But we can also take a look at two other things.  
15:19:45 In dealing with by-law interpretation.  
15:19:48 Uh, the framer's intent, D. Frank Robinson.  
15:19:51 That's in one of the briefs.  
15:19:53 He used words very specifically when referring to the statement  
of principles as a tether.  
15:19:59 An angst, a lifeline.

15:20:00 something that does buy the LNC.  
15:20:04 Um, and in fact, the Libertarian Party as a whole.  
15:20:10 Uh, this bylaw does that.  
15:20:12 So that the intent of that by-law certainly appears to be.  
15:20:15 to bind the party to this,Ä¶ to the statement of principles.  
15:20:20 Let me repeat the statement of principles.  
15:20:23 The statement of principles, uh, affirms,Ä¶  
15:20:26 the philosophy that the Libertarian Party has found,Ä¶  
15:20:29 Upon which the Libertarian Party is found.  
15:20:31 By which it shall be sustained, and through which liberty shall prevail.  
15:20:37 Finally, and this is the weakest one,  
15:20:39 We have prior judicial committees.  
15:20:41 As we've seen in the Epstein case, they've already said,  
15:20:44 Yeah. The statement of principles applies to,Ä¶  
15:20:49 the, uh, park.  
15:20:50 It is something that does governance.  
15:20:53 That's the weakest one, I'll be completely honest.  
15:20:56 But, uh, that is still one that,Ä¶ that,Ä¶  
15:21:01 your, uh, predecessors, at least.  
15:21:02 have said that this does, uh, provide.  
15:21:06 Um, I also want to deal with stat,Ä¶ this was statched on brief,Ä¶  
15:21:11 Statute required that they cite it requires bylaw authorization.  
15:21:16 There is nothing in the bylaws regarding  
15:21:18 Uh, somebody's significant other, or anybody other than that individual.  
15:21:23 And I'll give back the remainder of my time.  
15:21:28 Thank you. How much time do we have left?  
15:17:49 Yes, we can.  
15:21:30 You have 50 seconds.  
15:21:32 Very good. Uh, I did want to mention something about, uh, about intent, because there's, uh,Ä¶  
15:21:38 The actual,Ä¶ this program that was being discussed regarding Freedom Calls, uh, there's something very interesting about it. It actually  
15:21:45 Uh, the,Ä¶ it raised money, but it's being represented as if it raised \$0.  
15:21:51 At a time when there was only one fundraising program happening at one time,  
15:21:55 But there's no money coming in from the party, and there's no explanation from,Ä¶ given from the, uh, from the LNC  
15:22:02 Thus far, that explains what we're,Ä¶ how did all this money come in otherwise?  
15:22:06 Uh, and if, uh, if the last 30 seconds, if Austin Martin wants to say something,  
15:22:11 Uh, in regards to why that is.  
15:22:15 Actually, I have 20 seconds.  
15:22:16 I'd love to follow up, just kind of on intent. This,Ä¶ asking about this, asking objective questions about this has subjected me and others  
15:22:25 to extremist treatment. There is absolutely an intent to hide  
15:22:30 to misrepresent and to obfuscate the truth if anyone asks.

15:22:35 And, uh, you know, I wasn't on the LNC at the time. I don't really have a horse in that race. I came afterwards, and I'm accountable to my chairs,

15:22:43 they would like the truth. I would like the truth. Everybody wants the truth. But the thing preventing us from getting to the truth is the factionless majority on the LNC.

15:22:53 We are at time.

15:22:53 Um, so, Å¶

15:22:55 Thanks.

15:22:59 Alrighty, um, Mr. McGee for the LNC, do you have 10 minutes.

15:23:04 Thank you. Um, members of the Judicial Committee, thank you for your time and consideration.

15:23:09 We are here not only to address specific questions concerning

15:23:12 Uh, issues that have arised from the adoption of the Special Investigatory Committee report.

15:23:18 At the core of these proceedings lie fundamental considerations. The interpretation of our bylaws,

15:23:23 The scope and meaning of the statement of principles and the standards of accountability by which our organization operates.

15:23:28 The issue before us invites careful scrutiny and principled discourse.

15:23:33 For they touch upon the very mechanisms that safeguard member trust and uphold the legitimacy of our decision-making processes.

15:23:40 From the very outset, libertarian National Committee wishes to unequivocally state that every action pertaining to the Special Investigatory Committee report

15:23:47 was carried out in absolute fidelity to the explicit wording of Article 3 of the Party Bylaws.

15:23:52 No word does Article 3 bind the LNC's day-to-day actions strictly to the text of the statement of principles. Instead,

15:23:58 Article 3 defines the purpose of the statement of principles.

15:24:01 The process by which it may be amended.

15:24:02 And its connection to the party platform.

15:24:05 In the present matter under review, it is essential to acknowledge that the LNC acted fully within the scope of its authority,

15:24:10 Adhering strictly to our governing documents.

15:24:13 The adoption of the Special Investigatory Committee report

15:24:15 was procedurally proper.

15:24:18 The SIC was constituted by the LNC through open deliberation and with full procedural compliance.

15:24:23 To investigate allegations of conflict of interest and improper business practices with respect to the former chair.

15:24:29 The committee's mandate was observed with scrupulous care throughout.

15:24:33 At the heart of the SIC's work was a comprehensive investigation.

15:24:36 Evidence was gathered from a wide array of sources,

15:24:39 Committee members deliberated at length and with candor.

15:24:42 And every perspective was given due consideration.

15:24:45 The report's findings are not the product of a single hand or a narrow viewpoint. Rather, they reflect the conflictive judgment of a diverse group of committed members

15:24:52 All striving for accuracy and fairness.

15:24:55 The adoption of the SIC report is contrary to the petitioner's claims, reflection of the LNC's dedication

15:25:00 Do self-examination, accountability, and the ongoing improvement of our internal practices.

15:25:05 The recommendations presented by the SIC were specifically designed to identify and correct vulnerabilities

15:25:11 Within our existing policies and procedures.

15:25:14 These recommendations have not remained theoretical.

15:25:16 Rather, they have been actively integrated into the LNC's policy manual.

15:25:20 Most notably, we have instituted stronger financial oversight protocols and established clear mechanisms to identify and mitigate potential conflicts of interest. Furthermore, we've also adopted an ethics policy.

15:25:36 These changes are tangible evidence that the purpose of the Jews, in the light of the alleged actions of the former chair.

15:25:41 We must also recognize the universal truth inherent to any complex investigatory process.

15:25:45 The possibility of human error.

15:25:47 Be it in the form of omissions, inaccuracies, or misinterpretations.

15:25:51 It can never be entirely eliminated. However, it bears special emphasis that there is no credible evidence

15:25:57 To suggest that any errors in the report were the product of intentional misrepresentation or malicious design.

15:26:03 The members of the SIC took their mandate with utmost seriousness. They approached every element of their charge with diligence and professionalism.

15:26:11 The review of the available evidence was thorough, and their conclusions were arrived at with the greatest care and deliberation.

15:26:17 Their work was demanding in every sense, requiring not only considerable time and expertise, but discernment, patience, and a willingness to engage thoughtfully in the process while acknowledging the contentious nature of their task.

15:26:27 Throughout, committee members will engage one another in discussion and ensured that every relevant piece of evidence was evaluated with care.

15:26:34 At the crux of the Protectioner's argument,

15:26:36 is the assertion that the SIC's reported adoption constitutes material misrepresentation.

15:26:42 in violation of the statement principles and Article 3 of the bylaws.

15:26:45 If this committee rules that the actions of the LNC are in fact bound by the statement of principles, the next matter is to determine the standard for misrepresentation,

15:26:53 And whether anything in the SIC report meets that standard.

15:26:56 The LNC submits that any standard for misrepresentation must consider intent.

15:27:01 A ruling that equates any factual error, omission, or interpretive difference, no matter how unintentional,

15:27:07 with actionable misrepresentation would set a perilous precedent for this organization, and for the work of all future committees of this body.

15:27:14 First and foremost, it is a fundamental tenet of justice.

15:27:17 Both in our internal governance and in broader tradition of common law, that intent matters.

15:27:22 The difference between an honest mistake and willful deceit is not a trivial distinction. It is the very cornerstone of fairness in adjudication.

15:27:29 If the Judicial Committee were to adopt the standard seemingly implied by the petitioner, one that disregards its intent entirely and holds the LNC or any other committee member strictly liable for any error as material misrepresentation,

15:27:42 The result would not only be unjust, but profoundly destabilizing to the orderly administration of our party.

15:27:48 Such a precedent would have sweeping and deeply problematic consequences. It would chill open and forthright debate,

15:27:54 As committee members and party officers would be compelled to second-guess every word, every conclusion, and every recommendation, lest an inadvertent error, later be construed as a punishable offense.

15:28:04 The incentive to serve, already demanding in terms of time, expertise, and emotional labor, would be eroded as the risk of personal censure or collective nullification would loom over every act of good faith.

15:28:14 This would discourage volunteer participation and undermine the very spirit of collaborative self-government,

15:28:21 that defines our party.

15:28:22 Moreover, the practical outcome of such a standard would be to render nearly all committee work vulnerable to appeal, second-guessing, and reversal in the most minor of technical grounds.

15:28:31 Even spelling mistakes or inadvertent omissions could provide a basis for declaring a report, and the reforms it underpins, null and void.

15:28:38 The work of party governance would become ensnared in a perpetual cycle of appeals, leaving the party paralyzed at moments when decisive action and reform are most needed.

15:28:46 In short, the adoption of a strict liability standard for misrepresentation would transform the statement of principles from a philosophical guidepost

15:28:54 into a weapon for procedural gamesmanship.

15:28:56 It is critical for the committee to consider.

15:28:58 Should every error, however trivial or unintentional, be grounds for voiding an otherwise valid and constructive process?

15:29:04 The LNC submits that to do so would be to take leave of one's irrational faculties.

15:29:08 The petitioners have also requested that the SIC report be voided and remanded to the LNC.

15:29:13 If this request is in good faith,

15:29:16 And in an attempt to correct any errors, there's no need for the Judicial Committee to grant this request.

15:29:20 A mechanism already exists to make changes or corrections to an adopted report.

15:29:24 That is, amending something previously adopted.

15:29:27 Since the adoption of the SIC report nearly 5 months ago,

15:29:30 The LNC has spent considerable time over several meetings discussing the SIC report and addressing concerns from LNC members.

15:29:36 at no point has a substantive amendment been offered to the FCC report.

15:29:41 The LNC acknowledges that the SIC report would have been better if the SIC had been provided with all the documentation they requested.

15:29:47 key persons of interest declined or ignored the requests

15:29:50 from the SIC for interviews, most notably the former chair and her domestic partner.

15:29:55 Recommendation 3 of the SIC report advises the LNC to continue to seek additional documentation.

15:30:00 And list the documentation to be requested.

15:30:02 To date, none of the additional documentation has been provided to the LNC, either because it continues to be withheld,

15:30:08 no longer exists, or never existed in the first place.

15:30:10 Neither the SIC nor the LNC have subpoena powers, and so there's no way for

15:30:15 either committee to obtain additional documentation absent cooperation from key persons of interest. To reiterate,

15:30:21 The SIC came to the conclusions they did based on the evidence they were provided.

15:30:25 The LNC recognizes that no system is infallible, and that robust processes must allow for the correction of genuine material errors.

15:30:32 Yet, such corrections must be based on evidence. Demand perfection in all things is neither realistic nor just.

15:30:38 To equate every error with actionable misrepresentation is to render impossible the work of any committee or officer.

15:30:44 The process which led to the creation of the FCIC report was thorough.

15:30:47 The resulting recommendations reforms have already yielded demonstrable improvements in our internal controls, particularly in our financial oversight and our protocols for managing conflicts of interest.

15:30:57 These outcomes, far from being indicative of malfeasance, are evidence of a healthy, responsive, and principled organization.

15:31:03 To retroactively nullify this process solely on the basis of unintentional or inconsequential errors would not only undo necessary reforms,

15:31:10 but would discourage future leaders from undertaking the difficult and thankless work of organizational stewardship.

15:31:15 It is the responsibility of this committee to affirm a standard that recognizes good faith and allows for the correction of honest errors without resorting to disproportionate remedies.

15:31:23 In closing, the Libertarian National Committee respectfully submits that its actions, including the creation, investigation, and adoption of the Special Investigatory Committee report,

15:31:32 We're wholly consistent with the explicit language of Article 3 of the bylaws, and in no way violate the statement of principles.

15:31:38 The process was deliberate, principled, and conducted entirely within the scope of the authority granted by our governing documents. Any errors in the report were unintentional and do not rise to the level of material misrepresentation.

15:31:49 The committee is urged to consider the far-reaching implications of a ruling that would treat every unintended factual error as grounds for overturning duly adopted reforms.

15:31:57 The work of this party depends on the willingness of its members to serve, to deliberate, and to act in good faith.

15:32:02 Learning and adapting as challenges arise.

15:32:04 We asked the Judicial Committee to affirm the validity of the LNC's decisions

15:32:08 To recognize the integrity of the process and to uphold a standard that honors both the principles of liberty and the practical realities of principled self-governments.

15:32:16 Thank you. I welcome questions from the committee.

15:32:21 Alrighty, that.

15:32:23 This should conclude the opening statements. We move now to the round one of questions.

15:32:28 The order of the

15:32:29 Committee members was decided by AI Random Draw.

15:32:33 After alphabetizing the list and then shuffling the numbers.

15:32:37 Mr. Montoni is currently not here, so we will go directly to Mr. Krawchuk.

15:32:46 Thank you, Mr. Chair.

15:32:48 Beautiful day here in Pennsylvania. Hope everything is nice for everybody else.

15:32:53 I'm going to go through as an outline,

15:32:57 the relief requested.

15:32:58 And I'm going to start with the end and work backward.

15:33:01 So these questions will be going to Mr. Roos initially.

15:33:05 Uh, number 5, declare that Angela did not violate her fiduciary duty.

15:33:10 or commit embezzlement. Are you suggesting that we conduct our own SIC report?

15:33:15 I'm suggesting that based on the findings of the, uh, the findings of the SIFC report, is there enough?

15:33:22 in that report to satisfy,Ä¶

15:33:24 the SIC's claims,

15:33:26 that she violated her fiduciary duty or committed embezzlement, theft, however they phrased it, uh, in different ways.

15:33:36 Okay, so if the SIC report would have all the information that we would need then, and we would not need to go beyond that.

15:33:41 Correct?

15:33:41 I don't think we need,Ä¶ and this entire appeal, I know a lot of,Ä¶ a lot has been said outside of the SIC report,

15:33:49 But I believe all our answers are actually in the SIC report.

15:33:52 Right. Oh, that was my question. Okay.

15:33:57 All right, so,Ä¶

15:34:00 I didn't see anywhere in the bylaws where we could declare,Ä¶

15:34:04 that she didn't violate her fiduciary duty or anything like that. We can only just say whether or not the SIC report

15:34:10 was proper and properly

15:34:13 Properly passed. True?

15:34:17 Uh, if,Ä¶ okay, well, if JJ says it's true, I,Ä¶

15:34:22 I would say,Ä¶ I would,Ä¶ I wouldn't disagree with him on this matter. I think just in terms of general jurisdiction, if you have it, if you have jurisdiction here,

15:34:32 You're able to,Ä¶ you may want to consider taking some type of,Ä¶

15:34:37 relief in that direction, even if it's not exactly what I asked.

15:34:41 I don't believe we have the authority to declare

15:34:43 that she did not violate her duty.

15:34:45 I think we can only just void decisions of the LNC in this case.

15:34:51 Is that a true statement?  
15:34:54 That is what I'm, uh,Ä that's what I believe as well, Lynn, yes.  
15:34:58 Okay, so number 5 is really outside of our authority, and we can't do anything about it.  
15:35:02 Very good.  
15:35:04 Uh, number four, declare that the party's actions is,Ä  
15:35:07 based on material misrepresentation are null and void,  
15:35:10 Regardless of parliamentary compliance,  
15:35:13 It's really the same thing. We would have to conduct our own SIC  
15:35:17 study to see if the SIC is correct or not.  
15:35:20 Is that a true statement?  
15:35:24 JGU, do you want to,Ä? I believe,Ä Go ahead, go ahead, JJ. Do you want me to answer?  
15:35:30 Sure, go ahead. Yes.  
15:35:33 believe that you could reach that conclusion  
15:35:36 By looking through the SIC report.  
15:35:41 How would I identify misrepresentation? I mean, it was mentioned earlier, what are those standards?  
15:35:47 for misrepresentation.  
15:35:48 Are you asking me that question?  
15:35:51 Yes? Well, no, I don't want to know what the standards are for misrepresentation.  
15:35:56 Okay, well, I think you would have to take a look at,Ä  
15:36:00 each individual  
15:36:02 case.  
15:36:04 Um, one standard that I would say would be,Ä  
15:36:07 If the SIC  
15:36:10 misrepresented statute.  
15:36:13 I'm sure,Ä  
15:36:15 I'm sorry, Mr. Excuse me, misrepresenting.  
15:36:13 plainly, and then used it to practice. That would be a standard.  
15:36:18 Excuse me, I missed that word. If misrepresented what?  
15:36:23 statute.  
15:36:24 What does statute have to do with what we're doing here?  
15:36:27 They have made representations regarding statute.  
15:36:32 We are not qualified to speak on statute here.  
15:36:37 you are qualified to speak on their representations.  
15:36:39 Right.  
15:36:41 Well, again, what,Ä what does statute have to do with anything we're doing here?  
15:36:47 The statute,Ä  
15:36:49 If somebody says,  
15:36:51 This is a violation of the statute.  
15:36:55 in MSIC report.  
15:36:57 I believe that the JC could look and determine  
15:37:01 If there was a reason,Ä if it was reasonable  
15:37:06 to assume that this was an actual violation.  
15:37:11 Not an interpretation of statute.  
15:37:10 You'd have us become lawyers? We don't,Ä  
15:37:13 I'm not a lawyer, I couldn't interpret that.  
15:37:16 Lawless mess as it is.  
15:37:20 Well, I,Ä  
15:37:19 I would just add my own standard to it.

15:37:25 Alright, let me,Ä¶  
15:37:24 Well, I,Ä¶ I think that you could.  
15:37:28 I think that there are some things  
15:37:30 Much like interpreting a stop sign.  
15:37:32 Right. Plain language. I can't,Ä¶  
15:37:35 You can determine that a stop sign, um, means that you are  
supposed to stop.  
15:37:41 It's very clear.  
15:37:41 Nobody's,Ä¶ yes, but nobody stops at stop signs. It's very  
clear.  
15:37:46 Alright, let's move on away from that.  
15:37:48 Uh,Ä¶ okay.  
15:37:49 So, the point is, it's a matter of opinion.  
15:37:54 And,Ä¶  
15:37:53 I think it told me more than a matter of opinion.  
15:37:57 Well, one person is misrepresentation is another person's Bible.  
15:38:01 And your stop sign analogy is a good one, because nobody stops  
at stop signs.  
15:38:06 Okay, uh, let me see,Ä¶  
15:38:10 Let me look at my notes here for a second.  
15:38:16 Okay, nope, that was it for that one. Uh, number 3.  
15:38:20 If the resolutions were validly adopted,  
15:38:23 Void all the motions and resolutions adopted by the LNC as of  
June 9th.  
15:38:28 You know, I looked a couple times, and I couldn't find a list of  
all those motions and resolutions.  
15:38:33 Did I miss it?  
15:38:38 You're asking the resolutions were, in fact,  
15:38:42 bound to be void for lack of notice.  
15:38:45 And,Ä¶  
15:38:45 Well, wait a minute. No, no, that's not answering my question.  
15:38:48 I said,Ä¶ he said, avoid all the motions and resolutions adopted  
by the LNC, etc.  
15:38:55 I didn't know,Ä¶ I looked a couple of times, and I could not  
find a list of those motions and resolutions.  
15:38:59 Did I miss that?  
15:39:01 Yeah, they would be in the minute, that's where I got them.  
Right.  
15:39:05 Okay, so it's not in the,Ä¶  
15:39:08 Not here in the appeal.  
15:39:11 Now, isn't that kind of vague, though? Because they do a lot of  
motions and resolutions.  
15:39:16 against every single one of them, or a couple of them, or,Ä¶?  
15:39:17 It was a special meeting,Ä¶ it was a special meeting to  
explicitly for that purpose.  
15:39:22 Was that a yes or a no?  
15:39:23 Is it all of them? Some of them? Which one?  
15:39:24 Yes, all of them.  
15:39:27 And I believe there were 4 total. Right.  
15:39:29 There were.  
15:39:32 Okay?  
15:39:34 Uh, the,Ä¶ the first one was the adoption of the SIC report.  
15:39:38 The second one was a motion to release

15:39:42 executive session, which technically was not an original main motion.

15:39:47 The third one was a,Ä¶

15:39:50 Uh, motion relating to,Ä¶

15:39:53 Um,Ä¶

15:39:55 Ms, um,Ä¶

15:39:58 McArdle, uh, not holding office.

15:40:01 And I believe something akin to a censorship,

15:40:04 That one was repealed. The fourth one dealt with fundraising.

15:40:09 for, uh, the possibility of litigation. That one was,Ä¶ I shouldn't say repealed, that one,Ä¶ those last two were found out of order for failure to provide notes.

15:40:18 Okay, so,Ä¶

15:40:20 Should we,Ä¶

15:40:21 So, just the two are lie.

15:40:23 Should we undo the,Ä¶

15:40:25 Refusal of the third one? What was that third one against Ms.

15:40:29 These are Harloose again?

15:40:32 Who's repealed?

15:40:29 The third,Ä¶ yeah, the third one,Ä¶ the third one dealt with

15:40:35 Um,Ä¶ I'm trying to think of how I can characterize it.

15:40:39 Well, let me pause. You said it was,Ä¶ you said that they repealed it?

15:40:43 It was not repealed, it was found to be a void, for lack of notes, so it's not one that would be a live issue at this point.

15:40:50 So, yeah, but you said all the motions and resolutions, so you want us to reverse that one as well?

15:40:57 Uh, that one is no longer there, so you couldn't reverse

15:41:02 Well, but it could be reversed that,Ä¶

15:41:04 reverse the action that they took.

15:41:06 It just feels that the,Ä¶

15:41:08 This is vague, because you're not saying exactly what it is you want.

15:41:11 We say all of them, well, we should reverse the one about Ms. Harlow's, too.

15:41:15 Correct?

15:41:16 Well, what about Ms. McArdle? In fact, there were two of them relating to Ms. McArdle, the last two

15:41:23 We're both, uh, ruled to be void.

15:41:24 So they have not been reversed, per se, but they are no longer at this scale.

15:41:29 It is as if they were never there in the first place.

15:41:34 Right, we,Ä¶ I'm not sure I'm getting an answer, but let's move on.

15:41:38 Uh, number two, void the adoption of the SIC report as the official record, or finding the LNC.

15:41:43 And remand is consideration to the LNC.

15:41:46 Well, the second half of that statement is not in our power. We can't remand anything. We can only void stuff.

15:41:53 Uh, and,Ä¶

15:41:55 I think it's been already stipulated that there's been no

15:41:59 No problem with the parliamentary procedure.

15:42:01 on it. So only the content is being challenged. Is that a true statement?

15:42:08 No, um,Ä¶  
15:42:12 Go ahead, JJ, then I'll answer.  
15:42:16 Why don't you answer? Because we have a disagreement.  
15:42:18 Right, we do have a,Ä¶ we do have a functional disagreement on  
this, but that's because I,Ä¶  
15:42:24 I believe the way that the,Ä¶  
15:42:26 the, uh, motion to adopt  
15:42:28 Uh, the SIC report itself, uh, with very little notice, was,Ä¶  
15:42:34 was using, uh, the email list, basically, as an inter,Ä¶  
15:42:40 intermediary, uh, session in order to get by  
15:42:45 five-day notice, because basically people only got the actual  
copy of the  
15:42:49 SIC report to read within 24 hours.  
15:42:53 So that's a parliamentary challenge.  
15:42:55 That is a parliamentary challenge.  
15:42:57 Yeah, okay.  
15:42:57 And it can be resolved under the,Ä¶ under, uh,Ä¶  
15:43:01 Article 3, as well.  
15:43:01 Article 3. All right.  
15:43:05 I went through that, and I thought that was pretty clear. Okay.  
15:43:06 Uh, there was,Ä¶ there was one thing I did want to add, but  
good.  
15:43:11 Please.  
15:43:12 Yes, it was on your claim that you could not remand.  
15:43:16 You actually did remand, in the case of Harlitz.  
15:43:24 Okay?  
15:43:25 And specifically, that's the Phillies' decision.  
15:43:28 Uh, no, it would be her actual,Ä¶ I think it was her actual  
appeal of her removal.  
15:43:34 This may be a good time to jump in there and say that the JC  
does not recognize precedent.  
15:43:39 Yes.  
15:43:39 So, it doesn't matter what the flawed decision was in the past,  
or the correct decision in the past.  
15:43:44 everything is looked at with a fresh eye.  
15:43:47 So, I'd appreciate it if you just don't mention  
15:43:50 precedent.  
15:43:53 Okay, now, as for the content of that,Ä¶  
15:43:57 of the SIC. The LNC has voted in favor of it, doesn't that?  
15:44:00 decision stand on its own, speak for itself?  
15:44:06 Could you repeat?  
15:44:08 Yeah, the, um, the SIC,Ä¶  
15:44:11 The LNC adopted it, so in terms,Ä¶  
15:44:14 Excuse me. So, in terms of the,Ä¶  
15:44:17 validity of the contents,  
15:44:19 the LNC having adopted it, that speaks for the validity of it  
right there, doesn't it?  
15:44:27 No, they could adopt something very easily that was,Ä¶  
15:44:32 uh,Ä¶ invalid. It was untruthful that  
15:44:35 violated the bylaws.  
15:44:37 That wouldn't make it okay.  
15:44:41 You know, I always,Ä¶ my,Ä¶ my eyes,Ä¶ eyebrows always go up  
when somebody says, oh, it violates the statement of principles, because  
it seems to be a catch-all that a lot of people use.

15:44:51 But, I mean, let me move on.  
15:44:55 I can respond to that.  
15:44:57 Oh, please, do so.  
15:44:59 So, this isn't,Ä this,Ä this appeal isn't entered into easily.  
Like, when you look at the SIC report and what they're saying,Ä  
15:45:06 And what their definitions are,  
15:45:12 Wait.  
15:45:08 it's just so separated from the two. It's so grossly, uh, excuse  
me, from what Mr. McGee said, but it's,Ä  
15:45:16 It's just, they don't match whatsoever, and in many, many, many  
instances, that,Ä if it feels abusive.  
15:45:23 And the only,Ä the only way to,Ä  
15:45:25 To rein that in is to consider the statement of principles.  
15:45:29 It's abusive in the Libertarian Party? Sir?  
15:45:31 Welcome home!  
15:45:34 Uh, let's,Ä I,Ä  
15:45:33 It shouldn't be that way, and that's what the statement of  
principles is supposed to do.  
15:45:37 I,Ä I know.  
15:45:39 I guess I keep coming back to the same thing. We have to wind up  
doing our own investigation  
15:45:45 To find out if there are indeed misrepresentations in there.  
15:45:49 I mean, you could read through it, and you could read,Ä  
15:45:51 somebody's opinion, but, you know, everybody's got opinions.  
15:45:54 Unfortunately,Ä  
15:45:54 As I said before, one,Ä  
15:45:55 Yeah, you're right. You're right. I've wanted to avoid this  
because of how much laborious this is.  
15:46:02 And I also wanted to make a procedural component to this to  
avoid that aspect of the JC.  
15:46:08 Because I can,Ä  
15:46:07 Because I,Ä it's,Ä it's the same conversation that was  
happening in,Ä when,Ä in the Phillie Phanatic appeal.  
15:46:12 When you had to look at line by line, all of those accusations  
or charges.  
15:46:17 And,Ä and you had to look at, did they match with a policy  
manual or the definition of a cause was?  
15:46:22 I mean, that was intense as well.  
15:46:25 But it was done!  
15:46:29 I recall.  
15:46:26 I did not,Ä I did not support the JC on that decision, so  
you're,Ä you're probably talking to the wrong person there.  
15:46:32 I,Ä  
15:46:31 Okay. Still, it keeps coming back to if there were  
misrepresentations in there, that would require the LNC,Ä sorry, the JC  
15:46:39 To go back and look at all of it and say, is this correct? Is  
this not correct?  
15:46:44 And that's,Ä that's clearly beyond our,Ä the scope of what we  
do.  
15:46:47 Well, I would suggest one.  
15:46:51 Uh, fighting a lot of service, actually.  
15:46:50 Uh, finding one misrepresentation, sticking to it,  
15:46:53 Because they're not,Ä it's not severable.  
15:46:57 I'm not sure I followed that.

15:46:59 Find,Ä¶ if,Ä¶ it's enough to find one strong misrepresentation,  
15:47:04 misrepresentation.  
15:47:05 Hang your hat on it, and call it a day.  
15:47:07 Because it's not severable. They're not severable,Ä¶ each of  
these claims in the report are not severable.  
15:47:14 What?  
15:47:12 So you take out the,Ä¶ that's,Ä¶ that's the only fix.  
15:47:18 Well, that goes back to what was mentioned before.  
15:47:20 Uh, by Mr. McGee, is that,Ä¶  
15:47:22 If there's a flaw in there, you could easily correct it.  
15:47:25 How come you didn't follow that path? Can I ask that question?  
15:47:27 We did. We spent,Ä¶ we,Ä¶ in fact, from June, and this was filed  
in,Ä¶ this was filed in September 8th.  
15:47:34 So, we waited 2-3 months, uh, to file this, asking for these  
corrections to be made.  
15:47:40 Uh, this was submitted months ahead of time to the LNC members,  
15:47:45 And they said, well, go pound sand and go to the JC for relief  
if you really want this changed.  
15:47:50 And that's why we got here.  
15:47:51 And that's why we got here.  
15:47:53 Well, good luck with that.  
15:47:53 And I believe Austin Martin wanted Austin Martin being the  
representative of the LNC here in the minority, of course.  
15:47:58 I wanted to also add to that.  
15:48:01 I'd be happy to.  
15:48:02 Okay, I'd be happy to. Please.  
15:48:04 Um, so to,Ä¶  
15:48:06 Um, so, to,Ä¶  
15:48:08 I'll have an echo here. I hear a little bit of an echo.  
15:48:11 Did you say that again?  
15:48:13 Yeah, thanks. Um,Ä¶  
15:48:15 So, with misrepresentation, we're talking about an issue of  
self-consistency. You know, if the statute says X and SIC report says Y,  
right, that would be a misrepresentation.  
15:48:24 Right, and so that doesn't take a lot of research to figure out.  
15:48:27 Ooh! I'm,Ä¶ I'm not an attorney.  
15:48:28 But here's the thing. If I bring this,Ä¶  
15:48:30 to the attention of my colleagues.  
15:48:31 No.  
15:48:33 And remember, we're on a committee where all the business is  
happening.  
15:48:36 Hang on, hang on, hang on, hang on, you lost me two sentences  
ago.  
15:48:39 When you start talking about the statutes, I'm not an attorney,  
nor do I have the stead of an attorney.  
15:48:44 We're the education journey. I, you know,Ä¶  
15:48:43 Oh, sir. Oh, and you don't need one to read.  
15:48:47 You don't need one to read the statute and say, wow, that  
doesn't match what they said.  
15:48:50 Right?  
15:48:50 Well, you know, the Pennsylvania Constitution says the right to  
bear arms shall not be questioned, but they question it all the time.  
15:48:55 No, it's not an interpretive,Ä¶ it's not an interpretive  
difference. We're talking about language says hard,Ä¶

15:49:02 X, and then SIC report says Y. They do not match.  
15:49:07 common interpretation, it's a misrepresentation.  
15:49:09 Right.  
15:49:09 They misquote, " they misquoted the statute?  
15:49:12 I believe so, yeah. And I believe also the way that they, " that  
the statute that they chose to cite and their reasoning reveals a lot  
about the nature and creation of this as an entity.  
15:49:21 But going to what the matter was that I'm, " that I was trying  
to kind of get to, "  
15:49:25 I was trying to help.  
15:49:26 the business is happening behind the scenes, so if I want to  
bring a motion to correct this SIC and say, hey, there's this fact, well,  
15:49:33 two problems with this. Number one,  
15:49:35 The facts, if you cur- like Mr. Rue said, if I correct the fact  
that the fundraising amount was wrong and grossly understated,  
15:49:42 the whole case falls apart, and the SIC itself becomes  
15:49:47 inviable. And so, of course, if the factionless majority are all  
in one mind together, and they are, and that business is being done  
behind the scenes,  
15:49:55 going behind this clip.  
15:49:56 then you know whether or not your motions are going to be well  
received.  
15:50:00 And frankly, I've made a lot of attempts to try to correct the  
record and try to deal with some of these factual inquiries.  
15:50:06 And I'll just tell you, you know, all the things that Mr. McGee  
was talking about would happen if you guys voided the SIC is happening to  
me right now because I question it.  
15:50:16 And again, I'm, " I'm, like, totally disinterested. I'm far away  
from everybody. I'm not, "  
15:50:21 personal friends with anybody in any of this. I come in,  
15:50:26 truly, " just, "  
15:50:27 frustrated with what I'm seeing in the lack of transparency in  
the process with some questions.  
15:50:32 You know, if it's clear from the fact that, you know, wrongdoing  
occurred, then I think we should absolutely deal with that. But if we  
have to change the facts and break the rules to reach that conclusion, "  
15:50:44 It's a good indication.  
15:50:48 Impossible thing to do that.  
15:50:53 You're breaking up, sir.  
15:50:57 You're breaking up, sir. You're breaking up.  
15:50:57 Can you hear me now? Can you hear me now?  
15:50:58 Yes, that's better. Yes, yes.  
15:51:01 Misrepresentation is not this impossible standard that you can  
never, " Uh, it's something that's really quite clear, and intent is not  
that hard either, especially when they're kind enough to explicate their  
intent.  
15:51:17 Okay, that sounds reasonable. We do it all the time.  
15:51:19 Well, let me, " if I may say one last thing, very short.  
15:51:21 Okay. Sure.  
15:51:23 Uh, the, " in a manner of speaking, I feel I'm doing the  
majority, the LNC majority a favor by bringing this to the JC, so they, "  
15:51:34 If it, " if you got, " if the JC chooses to, "  
15:51:35 Keep it.

15:51:38 Uh, avoid this, then they just redo it inside of their hands. If the JC up holds it, then there you go. It's, uh, I can't do any more, uh, it's not my fault anymore.

15:51:48 So, uh, that's kind of the flippin' attitude I've been received in the course of this,Ä the last couple months about this.

15:51:55 I hope that answers your question.

15:51:55 Now, flip an attitude in the LP? Oh, come on, man.

15:51:58 I know. Standards, right?

15:51:59 I've been here for, what, 30 years, and it hasn't changed.

15:52:04 Okay, there's some good answers there, thank you. Going to number one, declare the LNC adoption of the Special Investigatory Committee Report as of June 9th.

15:52:16 2025 is in violation of the statement of principles and Article 3 of the Bylaws.

15:52:21 Well, I think going over the,Ä other four ones, we certainly have covered it. Let me just look at my notes real quick.

15:52:32 Uh, we already mentioned no precedent, misrepresentation of actual findings. I already said one person's misrepresentation is another person's Bible.

15:52:41 And I just want to close with one question. Let me throw up my chowder hat and say.

15:52:46 Convince me that this isn't just sour grapes over a decision you didn't like.

15:52:53 The simple request has been, can you just do this better?

15:52:56 It's better.

15:52:57 you know, it's not,Ä the, uh, there's deficiencies within the SIC report,

15:53:02 that are glaring. I mean, this is,Ä this isn't,Ä this is basically saying a program raised \$0,

15:53:07 I mean, a program versus,Ä

15:53:09 Yet, the party raised hundreds of thousands of dollars during the period of time that they're talking about.

15:53:14 So, it's,Ä it's,Ä these are not close.

15:53:13 Without the dollar.

15:53:17 At all. Issues. Then there's an issue of independence, that they,Ä there's claims of all this

15:53:23 that they're all this independence defined within

15:53:23 there are signs of all this.

15:53:26 Uh, within this definition that's actually enclosed in the SIC report,

15:53:32 Yet there's already at least one person that openly declares in the SIC report that they have a conflict of interest.

15:53:38 Uh, how do you have,Ä how do you,Ä

15:53:40 How does that, uh,Ä how does that make any sense? So the,Ä

15:53:38 Uh-huh.

15:53:47 Okay. So on and so on. Okay. No, that's pretty convincing.

15:53:52 Apologies for me not knowing, but what was the final vote on the LNC? It was how many to how many?

15:53:46 I mean, so on and so forth.

15:53:58 Uh, Austin, do you know?

15:53:57 to accept the report? I should have known that. My apologies.

15:54:05 I'll carry on.

15:54:01 remember right, if I remember right, I'll caveat. important facts. Number one, anybody who voted on this matter had political and personal ramifications in their life, regardless of what their vote was.

15:54:14 the safest vote was to,Ä¶ for it.

15:54:17 Uh,Ä¶ I would leave out,Ä¶ I would leave out comments like that, sir. Let's not get personal.

15:54:20 So most of the dissenting minority. And so only two members have the courage to vote against the adoption of those.

15:54:22 17 minority people. And so,Ä¶

15:54:30 purchase document. Um, you asked about sour cream. I don't,Ä¶ I tried really hard to get along with these people. I honestly don't really care, like,Ä¶ not a right to fight.

15:54:39 It's not a right spot. This is like,Ä¶ I just have to serve my state hearing. This happens to be happening.

15:54:42 is like, I just have to serve my state fairs, this happens to be happening during my tenure, and so I ask some questions, and the result has been non-stop punishment.

15:54:52 And so, no, there's no sour grapes that, like, I don't have an axe to grind here.

15:54:57 Um, I don't know why they feel like they need to shut off my email and censure me and do these ridic,Ä¶ go to these extreme lengths.

15:55:14 Mm-hmm.

15:55:04 to try to intimidate me and attack me. Because they don't like what I'm saying, and because they don't like the implications of where, you know, the questions are leading, and,Ä¶ That's not my fault. That's just where the answers are, and, you know, I'm gonna let the chips fall where they may kind of guy. So, there's no sour grapes here, you know, I'd very much prefer to work with Mr. Nikalea, I don't,Ä¶ I don't,Ä¶

15:55:24 I don't see any benefit to trying to, like, have a power struggle with the entire board. This is miserable and not very fun, and I don't gain anything by it, frankly. This is a sacrifice.

15:55:34 Uh-huh. Okay, no, that's pretty convincing, I'll say it again.

15:55:39 Now, if we were to void the adoption of the SIC.

15:55:45 Do you think that there would be any material changes?

15:55:48 to a replacement SIC? Hard to,Ä¶ that's a tough question to answer, maybe you don't know.

15:56:00 Okay.

15:55:58 Sure. That's why I'm asking.

15:55:57 If I may. I would say that it would be very unlikely, because I believe most of the evidence.

15:56:05 Most of the evidence.

15:56:06 who's relying upon was destroyed. every attempt that I've had to go and track down this data, whether it,Ä¶ regardless of what it is, audit data, Kixi data, whatever, it doesn't matter.

15:56:17 It's all missing. there's no way to get it. So, if you guys void this SIC, I'll just be very frank, the odds are that they would have to do a new clean investigation. That's what should have happened. We had a clean audit, we had a third-party audit. It may have not been an investigative audit that got into all the details, but they do probe for things like.

15:56:36 Um, you know, misallocation. And this should have come up, and it didn't. And that is an interesting thing all on its own.

15:56:43 Um, I think they would have done much better to just have an independent investigation from the get-go, so if they want to go after this, that would be what they would need to do.

15:56:52 Um, at this point, I'm not sure if anybody could come to a conclusion, because for whatever reason, the investigators have decided to.

15:56:59 burn the bridges behind them so no one can actually,Ä again, we're talking destruction of evidence, guys, like.

15:57:04 it doesn't get any clearer than that, so I don't think this,Ä I don't think this will come back. If you guys void it.

15:57:10 I think they've burned that bridge all on their own by destroying the evidence.

15:57:15 Okay. As I said, that's a pretty convincing argument you're giving there. So I turn it over to Mr. Mcgee.

15:57:21 Would,Ä if this does get voided. what would be your process? What would be the result of you doing a,Ä would there be a second SIC?

15:57:27 Yeah,Ä

15:57:29 JJ wants to make a remark.

15:57:33 Yes, I may. I did call up,Ä I did have an answer to your question.

15:57:30 With respect,Ä

15:57:33 I'm sorry?

15:57:36 It was 11 were in favor of adopting the, uh, committee report.

15:57:41 to opposed, four abstentions.

15:57:43 But I was wondering if I could address the question of sour grapes.

15:57:43 Okay.

15:57:49 Thank you. If you take a look at one of my filings,

15:57:48 Sure.

15:57:53 I very clearly say that Ms. McArdle

15:57:57 violated the policy manual.

15:58:00 Now, that's not something that is going to be,Ä if this were sour grapes,

15:58:04 I would be standing up here saying,

15:58:06 She never did anything wrong. Your cherub.

15:58:09 You're all terrible, evil people. I'm not saying,Ä

15:58:12 I am saying that there is,Ä I am saying

15:58:15 But you know what? There is a problem, but be fair about the criticisms.

15:58:20 So, I don't think you could call that sour grapes by any stretch of the imagination.

15:58:25 Okay, I will take your opinion into consideration. Let me go back to Mr. Mcgee.

15:58:31 Uh, is there going to be an SIC2? Is it going to,Ä how would you respond to what Mr. Austin was saying?

15:58:37 Uh, first of all, to my knowledge, no evidence has been destroyed. Just because you can't find it doesn't mean it doesn't exist.

15:58:46 Okay. Would there be an SIC, too?

15:58:50 Uh, presumably. Um, we might reconsider some of our findings, uh, based on.

15:58:56 uh, you know, some of these suggestions that have been presented, uh, by the various amici.

15:59:02 Uh, and the,Ä exhibits presented. Certainly.

15:59:08 there was,Ä there's been no intent by the LNC to not consider.

15:59:13 any amendments to the SIC. None have been presented.  
15:59:21 Oh, you got this wrong, got this wrong guy.  
15:59:18 presenting a report saying, oh, you got this wrong, you got this wrong, you got this wrong, is not the same thing as presenting.  
15:59:25 a properly noticed motion to amend. Mr. Roos has a regional representative.  
15:59:32 Um, who he could bring. these issues, too, and as of currently, um.  
15:59:40 Yes, you are my region representative, and you've never responded to a single email or call that I've ever left you.  
15:59:38 I haven't heard from him. He also has 3 other,Ä¶  
15:59:39 Haven't heard from him. He also,Ä¶  
15:59:47 No flashcock, please.  
15:59:50 He also has 3 other members of the LNC that reside in his home state that he could have brought this to.  
15:59:56 If you didn't trust me. That has not happened, to my knowledge.  
16:00:00 Not after, to my knowledge. Okay? All right, uh, that does answer my question.  
16:00:05 I'll tell you, I get a lot more sense of what's going on listening to you guys talking back and forth.  
16:00:10 And I have by reading all the words that you guys put together. Takes a lot of time to get through it all.  
16:00:15 Thank you for your answers, and I found a lot of things convincing.  
16:00:19 Mr. Chair, I'll turn my time back to you. Thank you.  
16:00:23 Thank you. Mr. Turnoff, you're up next.  
16:00:29 Hello? Um, so I'd like to,Ä¶ I'll first speak to the respondent.  
16:00:40 was the, uh,Ä¶ was the SIC,Ä¶ committee and report commissioned.  
16:00:45 as a,Ä¶ specifically as a disciplinary. Uh,Ä¶ size?  
16:00:49 No, it was,Ä¶ no, it was not. In fact, explicitly, the original committee that was convened as a disciplinary procedure.  
16:00:58 was disbanded at the same meeting that. The SIC committee was convened.  
16:01:05 So, the second,Ä¶ So that was the first SIC.  
16:01:11 Commission, and that was to look into disciplinary matters about the chair.  
16:01:16 Correct. Correct.  
16:01:16 But the second one was not. a disciplinary.  
16:01:22 Okay? Um,Ä¶ Is there anything, uh, any issue, then, with,Ä¶ with,Ä¶ with, uh, uh,Ä¶ using it to support, uh, disciplinary findings?  
16:01:38 you know, it's, uh, you know, it's, uh,Ä¶  
16:01:45 Normally, a disciplinary action is intentional. Uh, this, then, the adoption of the report, the meeting.  
16:01:54 The special meeting to adopt the report was not convened as a disciplinary matter.  
16:01:59 Yet, it,Ä¶ produced disciplinary results. Did you see a notice problem with that?  
16:02:09 I mean, the findings resulted in. one resolution that,Ä¶ pertained to the former chair.  
16:02:18 But it didn't result in former disciplinary action.  
16:02:25 Uh, well, it resulted in a couple of motions for censure, didn't it?  
16:02:31 Resolutions were motions of censure, or were the resolutions something else, other than.

16:02:36 it depends on which motion you're referring to. The one that was voided, or the one that was not.

16:02:35 motions of censure.

16:02:43 Uh, I'm referring to the ones, uh, "Uh, passed on, " August 25th.

16:02:57 There were two resolutions, whether or not, or passed on August 25th.

16:03:03 Yes, there were two. Um, those were the ones that were, uh, adopted.

16:03:08 Uh, after the previous ones were voided.

16:03:12 Okay, and you're saying these are not motions of censure?

16:03:16 I'm not saying that. I do believe that the first motion did result in the censure of Ms. Picardo.

16:03:26 The second one is not intended as a motion of censure.

16:03:24 as the opinion of the LNC.

16:03:29 Correct.

16:03:33 Okay. Um, " Now, with regard to the, uh.

16:03:40 appointment of the SIC. Um, I would note a couple of passages. I want to read a couple of short passages from Roberts.

16:03:49 Uh, 63.8, these are steps in a fair disciplinary process. 63.8, a committee whose members.

16:03:57 are selected for known integrity and good judgment. conduct a confidential investigation.

16:04:05 Uh, " 6312, an investigating committee should quietly conduct a complete investigation.

16:04:12 making an effort to learn all relevant facts. Now, those.

16:04:16 Those are just steps in a fair disciplinary process.

16:04:20 Uh, they're not required, apparently. Um, and then I would note.

16:04:26 50 point, " uh, 50 sub-18. says, when a committee is appointed for deliberation or investigation, it should represent, as far as possible.

16:04:35 all points of view in the organization. Um.

16:04:41 I think it's, " it's pretty clear, possibly, unfortunately, for the appellants.

16:04:47 that none of those, um, " passages, uh.

16:04:54 are, uh, " are required. They're not, " they're not voluntary, they're just, " recommendations.

16:05:01 Um, " Would you, uh, " You know, and certainly nobody has even suggested that the, um, that Article III or the, uh.

16:05:15 or the, uh, " Uh, the platform.

16:05:19 has any, uh, uh, things, " has anything to do with the appointment of an SIC. You can't have a misrepresentation there.

16:05:29 Um, so, uh, my question is, uh. Is it the, um, the LNC's position.

16:05:37 that it is not, " bound by a requirement to, uh.

16:05:46 to appoint a, uh, an SIC that is fair and unbiased.

16:05:55 Uh, " that's, " that's gonna need some unpacking. So let me first start with, " Uh, the fact that the, " citations in Roberts pertain to a disciplinary process, and the SIC that was convened.

16:06:12 was not for disciplinary purposes. The motion for censure was passed by motion, not as the result of a conviction at trial through Ronner 63.

16:06:22 So, that wouldn't necessarily apply. Um, what was your other point?

16:06:30 Uh, well, yes, you're right. These are the steps, the first two passages I read are steps in a fair disciplinary process.

16:06:40 Um, and, They are speaking to a formal process, um.

16:06:48 But, uh, 50 sub-18. it speaks to committee appointments in general.

16:06:55 Uh, when a committee is appointed for deliberation or investigation, it should represent, as far as possible, all points of view.

16:07:02 in the organization. Um, the word should be in there, right? It should represent. It doesn't have to.

16:07:09 Right? It's not required, uh, but it should. Um, is it the LNC's position that, that, that it's, that, Uh, it's improper to look into.

16:07:25 the composition and the intent in the appointment of the SIC.

16:07:31 Uh, because, uh, it's, It's not required, and there's nothing in the, uh, in the claim of misrepresentation that would apply to the appointment of the SIC.

16:07:43 Um, and uh, and the only, thing in Roberts says that it should, uh.

16:07:52 be, you know, fair, uh, and equitable. But, um, there's no requirement. Is that the position of the SIC? I mean, of the LNC?

16:08:03 Well, the fact of the matter is that, uh.

16:08:06 during the time leading up to the meeting where the SIC was convened.

16:08:12 the, myself and Mr. Michaela actually looked into how much it would cost to actually.

16:08:18 to put together an independent investigation. And, uh, when the amount that was.

16:08:27 that was alleged to have been misappropriated, so to speak, um, is around \$50,000, and the potential cost for an independent investigation is close to \$20.

16:08:37 That doesn't make much sense.

16:08:43 Okay, so, uh, It sounds like you're saying that the appointment of the SIC may or may not have been, uh.

16:08:54 equitable, uh, you know, unbiased. But that, um, uh, it doesn't matter, and uh, and to produce an unbiased.

16:09:09 report was cost prohibitive.

16:09:12 Correct.

16:09:15 Okay, um, My, uh, my third question has to do with, uh.

16:09:25 Uh, the, uh, the second, Uh, actually, I think you've actually, answered that one already. All right, um, I'd like to speak to the appellant now.

16:09:38 Um. How, how are we to determine the intent.

16:09:45 of SIC members, or the motives behind their appointment without.

16:09:49 Hearing testimony. And do we have the authority to, to hold a hearing and hear testimony.

16:09:56 I, I think you're supposed to look at these actions of the LNC?

16:10:00 Uh, as I've said to, uh,

16:10:02 Mr. Krawchuk, the, it's, it's the action on this SIC report.

16:10:07 Uh, that the LNC's adopted.

16:10:09 Uh, I think it's self-explanatory what the SIC is. It is,

16:10:13 It has claimed that its authority under DC law.

16:10:18 to perform, uh, an investigation that could lead to litigation.

16:10:23 Uh, that's, uh, that's as far as I understand, uh, from things that happen outside of this document, that we now know about.

16:10:30 is that certainly there was a dialogue in regards to the settlement of the vest lawsuit that had just,Ä¶ that's now just been dismissed.

16:10:38 Uh, that, uh, and the interest of that lawsuit and the,Ä¶

16:10:44 recommendations in this SIC report do match.

16:10:48 Uh, but the,Ä¶ if we're gonna go into intent, there is a lot in the record that has been submitted.

16:10:53 Uh, but specifically in towards,Ä¶ in terms of the authority of the JC,

16:10:58 Uh, what is included there, what it self-defines itself in, and being consistent about,

16:11:05 is that, uh, is this notion that it is, uh, operating under this process

16:11:10 to establish litigation, uh, and the last thing I'll say about that, uh, is that the,Ä¶

16:11:16 the LNC has performed this type of special investigatory committee

16:11:21 Before, uh, for whether it was for the previous Harlos lawsuit, or the Vest lawsuit itself,

16:11:28 And the reason why, uh, those lawsuits survived in court

16:11:32 was because the LNC proved they didn't know how to run an independent investigation of itself.

16:11:38 that, uh, that could survive a motion to dismiss. And again, this is the same type of practice. They haven't really learned their lesson.

16:11:46 From what I can tell. And that's why it was so important when I submitted this review about the, uh,

16:11:52 the standard that was set, and the LNC knows about in regards to the, uh, what the independent standard looks like.

16:12:00 Uh, because they were,Ä¶ it's legitimately, the court has told them, this is how you do it, and they're still kind of not following that, uh,

16:12:07 these procedures. Uh, so, uh,Ä¶

16:12:10 I hope that answered the question.

16:12:13 Did you want to say something, JJ? Yeah.

16:12:14 Yeah, may I add a few things here that have come up within this conversation?

16:12:22 If it's okay.

16:12:23 Yeah. Okay.

16:12:26 I'm the chair, but it's up,Ä¶

16:12:28 Yeah, okay. Uh, first of all, um, I wanted to say that generally when there's a,Ä¶ when I do a self-investigation, I usually conclude that I'm a great guy.

16:12:37 But, um,Ä¶

16:12:39 I wanted to go very specifically into something that was mentioned here, that this was not disciplinary.

16:12:46 It was not intended to be disciplinary action.

16:12:48 Uh, if you take a look at page 94 of the SIC report,

16:12:53 It says, based on the findings and conclusions of this report,

16:12:58 And the strength of the evidence supporting them, the SIC recommends that the LNC adopt a resolution finding Angela McArdle

16:13:05 I'm fit to serve as an officer,

16:13:07 of the Libertarian Party in the future.  
16:13:11 That could only be accomplished.  
16:13:14 through disciplinary action.  
16:13:17 That can only be accomplished through disciplinary action at the convention level.  
16:13:23 So this was something that was very clearly intended.  
16:13:27 to be disciplinary action.  
16:13:30 Whether or not it was,Ä¶  
16:13:32 Um, whether or not it would be valid disciplinary action is another matter.  
16:13:37 That intent, based on that quad, is there.  
16:13:54 Yes.  
16:13:49 Um. If you're finished, I'd just like to ask, is, um,Ä¶ to produce any, uh, uh,Ä¶ You know, I haven't,Ä¶ you know, maybe I missed it in all of the,Ä¶ all the wordage. I didn't see any hard evidence of misconduct.  
16:14:10 Uh, like the misstatement of the statute that was mentioned earlier, uh, or the destruction of evidence.  
16:14:16 Um,Ä¶ Or, uh,Ä¶ And any, any,Ä¶ hard evidence that, um, that the LNC.  
16:14:27 did not appoint. The SIC.  
16:14:39 If I may answer on the statute, that is inclus,Ä¶  
16:14:33 uh,Ä¶ with an intent to be unbiased. Um,Ä¶ Uh, it,Ä¶ and can,Ä¶ Can we,Ä¶ can we receive such, you know, just a clear.  
16:14:48 Can you send to me, or to the Judicial Committee?  
16:14:52 Uh, any such evidence? you know, hard evidence that we could pin something on, because.  
16:14:59 you know, conducting a whole trial to determine these things.  
16:15:03 Uh, you know, with witness testimony is probably beyond our, uh.  
16:15:09 are 10. No pun intended.  
16:15:11 I'm not certain who's speaking. Blade Tarnoff.  
16:15:15 Okay, Mr. Turnoff.  
16:15:16 Uh, if you take a look,  
16:15:18 in, um,Ä¶  
16:15:15 The display toner.  
16:15:21 It is called Rus Amicus, um,Ä¶  
16:15:26 Two, I believe it was submitted around,Ä¶ let me just see what I can get through the date on it.  
16:15:31 Um,Ä¶  
16:15:34 Let's see. Yeah, it was submitted on, I believe, September the 28th.  
16:15:39 Uh, that includes the problems with the statute,  
16:15:43 Along with a full copy of the statute that they have cited, where you can see the problem.  
16:15:51 Is that sufficient?  
16:15:54 Uh, I'm not sure. I, uh, I, you know, I did read all the amicus, uh, briefs, and, um, I didn't see anything, uh, any hard evidence, uh, you know, I saw opinions and, uh.  
16:16:08 And statements, um,Ä¶ And, uh, claims of what was said to whom.  
16:16:15 Um, but I did not, uh,Ä¶ recall anything that,Ä¶ uh, you know, like, for example, a, uh,Ä¶ I mean, is there a statement? I heard a statement earlier that a statute.  
16:16:30 was misquoted in the SIC report. Is that true?  
16:16:33 Yes.



16:19:35 directly through retaliatory actions and escalations. A lot of them asymmetrical.

16:19:39 That would be invisible to the audience, something that, if I were to try to complain about, it would just, "it wouldn't even be worth the effort, because it's just petty nonsense.

16:19:48 But, sir, I've endured a lot of personal harassment and a lot of mistreatment just for asking these questions, and I think that's a good evidence.

16:19:57 of the intent that they have to cover this up, and to make sure that people can't ask these meaningful questions.

16:20:04 The entire LNC response that they gave as their opening statement.

16:20:09 the entire thing was a misrepresentation. They sat here and lied to this committee, and lied to the party about the standards of investigation.

16:20:16 So, when it comes to the committee appointments. Forget about what the rules outside of it say. The SIC report itself makes the claim that the committee is independent.

16:20:27 So we don't need any rules to say whether it should be or must be independent. The SIC report itself.

16:20:34 claims a high level of independence and a lack of material interest in any of the members.

16:20:38 Even though, on paper, that's not true. Kathy Yaniscavich was actually directly involved with the events under investigation.

16:20:46 That is defined as a material interest, and it's not like they're just not lawyers sitting in a room. They have counsel actively advising them. I'm led to understand that Oliver Hall actually wrote.

16:20:56 that paragraph about independence, including the misrepresentation of the statute. I don't know if that's true firsthand.

16:21:03 But that's the information that I've been given based on my interviews with members of the SIC and my questions.

16:21:09 So, and a direct interface with Mr. Hall himself.

16:21:12 So, what, "what I'm getting at here is that this is not an accident.

16:21:19 This cannot be explained by, "oops, this cannot be explained by partisanship.

16:21:24 This is a direct misrepresentation, and just in the appointment of the committee. If the report didn't say the committee was independent, then it wouldn't be a valid claim for me to say it's a misrepresentation.

16:21:35 But it's self-evident, and this doesn't even touch Bill Redpat's admitted.

16:21:41 activities in New Mexico, which also directly overlap with matters investigated.

16:21:47 And, in my opinion, exceed what we saw from Ms. Mcardle.

16:21:51 And I'm not trying to raise that as a, like, I don't want to go on a witch hunt over it or anything, but the hypocrisy and the impropriety of that, the fact that that just discredits the whole thing.

16:22:02 We have a very unfair selection process, and yet this report submits it as being.

16:22:09 totally above board, and highest possible standards, and that is a clear.

16:22:15 obvious misrepresentation. I don't see how anyone could see it any other way. Sorry, I yield.

16:22:20 Right, I just want to elaborate. In the appeal brief, pages 16 through 17 discusses the issues of independence and breaks down

16:22:28 Uh, the issues of independence with each member.

16:22:31 Uh, there, uh, might except one I missed, apparently, but for the most part, it,Ä only one person at that time had been identified as, uh,Ä

16:22:40 as having actually truly be independent, meaning,Ä and the other person was actually a member of the LNC during the period of time when Freedom Calls

16:22:48 Was an active vendor to the party,

16:22:50 And this issue didn't come up back then either, during that person's tenure. So, the main question is,

16:22:57 of, uh, there was a claim there, and a big claim, as I mentioned in my opening statement, that

16:23:04 what authorization,Ä was,Ä was there an authorization?

16:23:07 for Angela McArdle to actually perform,

16:23:09 Uh, to actually work with contract and work with Freedom Calls, this vendor.

16:23:14 Uh, if there was, then why haven't they explained why that authorization was given, why there was no oversight, etc.?

16:23:22 Uh, but the SIC report is,Ä

16:23:26 quite, uh, doesn't really refer to it. Uh, answer that question.

16:23:31 Um, and of course, that,Ä these are,Ä these are intentional questions, uh, as opposed to,Ä

16:23:37 And I believe all the answers really are on the SIC report, and you can just pick,Ä

16:23:42 Uh, which misrepresentation do you want to focus in on? The issues of independence, or the factual issues?

16:23:50 Uh, I think,Ä I think they're all fair game, but to,Ä to narrow the scope of the work

16:23:55 The voluminous work that would be involved to narrow down all of it is, I think, also unfair to the JC, but I think you can narrow down the scope

16:24:04 of which representations you want to focus on that seem to be the most,Ä

16:24:08 the clearest and what most and best defined in the SIC report itself.

16:24:13 Thank you.

16:24:16 Um, is there,Ä Is there a difference between independence and a lack of bias, or are those, uh.

16:24:27 If it were me, I would say that there is.

16:24:25 It's anonymous.

16:24:30 Uh, independence is defined within the, uh, within the scope of the,Ä

16:24:37 within the scope of the SIC report.

16:24:39 Uh, bias, on the other hand, is, uh, is more general, and I do point this out in the,Ä

16:24:45 Uh, in my reply brief regarding bias, uh, whether there is a,Ä

16:24:51 Uh, where they actually use the term,Ä the SIC report uses the term

16:24:56 As for bi,Ä uh,Ä

16:24:58 Right, where they refer that there's,Ä

16:25:01 Uh, the LNC response actually refers to bias as,Ä

16:25:05 As for bias, both Ms. McArdle and Austin Padgett were solicited for interviews, but either declined or ignored such requests.

16:25:13 Meaning that the SIC's standard of bias is when a particularized issue

16:25:18 would reasonably be expected to impair the objectivity of an individual's judgment.

16:25:22 I put that in the, uh, page 4, top page 5 of my, uh, reply to the LNC response.

16:25:36 Um, I would ask the, um, "The respondent does, uh, " Does the respondent agree that, um, Mr. Martin was, uh.

16:25:51 was silenced, um, and, uh, not, " fairly allowed to bring his case to the, uh.

16:25:59 to the LNC and to the S, "

16:25:59 I'm very, " I'm very glad you asked that question. I would be happy to answer. Um, as a result of the ethics policy we passed.

16:26:06 One of the revisions, uh, provides that. LNC members aren't allowed to.

16:26:13 basically publicly, uh, malign. other members in public.

16:26:18 And he did so publicly multiple times, was asked to retract his statements, and said.

16:26:24 And plainly refused to. And so a majority of the committee voted to censure.

16:26:30 Because he was unrepentant about following the policy. I'm sure he disagrees with that interpretation of the policy.

16:26:36 But I wrote the policy. And he was in clear violation of it.

16:26:41 pretty cut and dry. Like, we asked him to retract the statement multiple times.

16:26:47 And he did not. And so, as a result, he was censured.

16:26:50 It had nothing to do with him questioning the SIC report. It had to do with his conduct with respect to other members of the LNC.

16:26:57 As well as counsel.

16:27:00 May I respond to that, sir?

16:27:02 Well, I would, " I would, uh, ask, uh, uh, appellant.

16:27:10 Uh, you know. I mean, there's, " there seems to be ample evidence of, uh, " potential misconduct, uh, in terms of, uh, well, I shouldn't say misconduct. Ample evidence of, uh.

16:27:26 potential, uh. bias, or, uh, " Or, uh, " partisan, uh, uh, " Action.

16:27:41 Uh, possibly on both sides. How, " you know, other than just relying on the procedural aspects and the.

16:27:51 And the, you know, political aspect of the LNC to hash this out, how, " How is the Judicial Committee supposed to, uh.

16:28:00 you know, make determinations. I mean, we have to have, uh, " We have to have hard evidence, uh, you know, uh.

16:28:09 you know, documented evidence, you know, beyond, you know, mere.

16:28:12 you know, written statements about this. I was told this, and I was told that.

16:28:17 Um, I mean, it just seems like a very difficult.

16:28:22 process, you know, assuming, " assuming we even, " have the authority.

16:28:30 to, uh, look into whether or not there was bias on this committee. I mean, the, " So, RO, " the Roberts, " passages that I read say that there should be no bias, but they don't require it, so we'd have to find that requirement.

16:28:44 somewhere else, um, it's certainly different from misrepresentation. So, assuming we could even find that.

16:28:52 that requirement. how, from a practical standpoint, could the judicial committee.

16:29:00 Uh, you know, adjudicated without taking. taking testimony. I mean, I, you know, I,Ä¶ It seems to me, you know, on this Zoom call, both.

16:29:11 parties, uh, seem to be passionate and seem to be sincere. It's very difficult.

16:29:16 you know, without a trial. to unravel this. So, you know, I mean, what can we do besides just simply relying on the, um.

16:29:29 Uh, on the procedural aspects of this. That's to the, uh, to the appellant.

16:29:36 Thank you, Mr. Tarnoff. Let me jump in here and say that it is,Ä¶ I knew from the beginning that this was a

16:29:43 this was going to be a difficult issue for the JSeek, because the report is voluminous.

16:29:48 by itself. And the task is to review it like if it was a list of charges that was done in the past JC appeals.

16:29:58 Uh, and,Ä¶ but this is different, because this is a two-page,Ä¶ two pages of charges versus

16:30:03 Uh, 18,000 words on,Ä¶

16:30:06 Uh, in very small print on basically 100 pages, it's very,Ä¶ that's a huge difference of work.

16:30:13 Uh, the,Ä¶ so I,Ä¶

16:30:15 when,Ä¶ as,Ä¶ as I kept on reading this materials,

16:30:20 I think, uh, well, let's,Ä¶

16:30:22 Let's first, uh, first of all talk about authority, because I believe the respondent

16:30:28 Um, has,Ä¶ has taken the wise approach of saying, well,

16:30:32 we're not bound by the statement of principles, so really, even if there is misrepresentation, so what?

16:30:37 Uh, and he can correct me if I'm misrepresenting that.

16:30:42 The point is, is though, is that,Ä¶

16:30:44 Uh, as I've,Ä¶ as I've communicated earlier, any misrepresentation found in the SIC report

16:30:51 And this isn't,Ä¶ I don't necessarily want to talk about minor issues of, oh, they misquoted a statute here.

16:30:58 But they're relying heavily on this issue of independence, they're relying heavily on issues of practical issues regarding theft.

16:31:05 Right? Uh, when there's an actual explanations, there are alternative explanations that they don't provide, but they certainly agree that one of the alternatives I provided

16:31:13 was,Ä¶ is,Ä¶ is viable, let's just say that.

16:31:17 Uh, pick one. You know, pick one of these issues that we all agree on, is,Ä¶ and then,Ä¶ and then see if there's, uh, if there is,Ä¶

16:31:25 Uh, if the claimant misrepresentation can be supported, in other words, by the lack or,Ä¶

16:31:30 Or the text itself. I think that's fair.

16:31:35 I'm just trying to say we should narrow,Ä¶ try to,Ä¶ at this point, try to narrow the scope.

16:31:39 of what, uh, of what this analysis should look like. You want to call it a trial? Like, putting the SIC report on trial?

16:31:46 Sure, uh, but it is a process, and I think doing our best to narrow that,  
16:31:51 would be useful. And answering the big question regarding the statement of principles,  
16:31:57 Uh, because there is a significant debate, uh, that's being carried out outside of this hearing.  
16:32:03 Whether the statement of principles is practical for a modern libertarian party, as well as the membership pledge,  
16:32:08 Uh, that is based on,Ä¶ that the membership pla,Ä¶ yeah, right. And, uh, so I hope that answers the question. I'm trying to keep it simple, because I think the approach should be  
16:32:18 should be a scalpel.  
16:32:20 And not a, uh,Ä¶  
16:32:22 Not a chainsaw.  
16:32:27 If I may, yeah, I'll,Ä¶ if you don't mind, sir.  
16:32:28 Well. Again, I'm not sure what,Ä¶ what the JC can do, unless they're,Ä¶ you know, it's up to you, I think, to,Ä¶ to produce, uh.  
16:32:41 some hard evidence that shows that there was bias.  
16:32:46 Uh, in the appointment or constitution. of the SIC, so if you could,Ä¶ if you could provide some hard evidence that shows there's,Ä¶ it's like, you know, I mean, and a misstatement of a statute.  
16:32:25 Austin?  
16:32:58 may or may not be that. I mean, it depends on if it's a material misstatement of the statute, you know, or if it's just a, you know.  
16:33:06 mistaking an AND for an OR, or something like that.  
16:33:08 Um, you know, or, or, you know, I don't know how you, you know, uh,Ä¶ document, like, a destruction of evidence, but,Ä¶ But if you,Ä¶ if you have something that can show that there is a, um,Ä¶  
16:33:17 Yes, sir.  
16:33:24 that there was an intentional bias to the Constitution or, you know, or execution.  
16:33:33 of the SIC. Uh, then, um,Ä¶ It would still remain to be determined whether that could actually be litigated, because, uh.  
16:33:46 uh, you know, as I said before, the RONR clearly says that these are things that should happen, but.  
16:33:52 But don't,Ä¶ don't bind. the LNC to do,Ä¶ to do them.  
16:33:59 Um, so we would have to find that somewhere else.  
16:34:03 Therm,Ä¶ Something to add.  
16:34:00 Mr. Tom, you are correct. if you,Ä¶ I'm sorry, sir, yes, you,Ä¶ you have a good point, and I believe there is direct evidence of bias in the form of statements by involved parties.  
16:34:16 multiple involved parties that clearly demonstrate that bias, and I would refer you to my amicus, as well as Mr. Chatterton's amicus.  
16:34:25 Which was just filed prior to this hearing, which goes into great detail about the evidence of that bias.  
16:34:31 But as was previously noted, bias is not itself a problem.  
16:34:36 Bias is evidence that goes to intention. So, the standard here is not,Ä¶ I don't think you need a trial, you're not trying to prosecute fraud, right? What you're trying to do is determine whether or not this report.  
16:34:49 Right? Conforms with the principles of justice and fairness.  
16:34:55 So, my suggestion is that you would treat it kind of like an apple,Ä¶ oh, I'm sorry, if you're speaking, I can't hear you.

16:35:06 I can see,Ä¶ I can see that you're talking. I don't want to talk over you, but I can't hear you, sir.

16:35:14 No, I was not speaking, I was, uh, speaking to my son.

16:35:17 Oh, I'm sorry. Um, so, bias goes to intention. So, what you do is look at this, in my opinion, like an appellate court.

16:35:26 The evidence and the decision has already been made in the proverbial lower court, and now you're looking to see whether or not that decision conformed with the principles.

16:35:37 and the rules and the laws that govern our organization.

16:35:41 And so, in looking at that, when we look at whether or not there was misrepresentation.

16:35:46 Bias would be something that would indicate whether or not that misrepresentation is more likely than not intentional.

16:35:52 or unintentional, or whether or not there might be something to be gained would be another evidence that would go towards intention.

16:36:01 Right? We can't automatically know that, and I don't expect you guys to know that. We're not asking you to declare that they.

16:36:08 committed fraud. However, we are asking that we recognize a spade for a spade, and call it what it is.

16:36:15 the problem is, is that the SIC makes inconsistent statements. It lacks self-consistency.

16:36:22 When it argues against itself and provides alternative explanations buried in the notes that conflict with the main.

16:36:29 assertions. That's a problem. But when you talk about evidence of bias, there has been a lot submitted, and worse than just evidence of bias. I submit to you.

16:36:39 that between the point of parliamentary inquiry, which I raised earlier.

16:36:43 Right? Which is item, I think, number 15 in my appendix of my amicus. You can actually see.

16:36:49 the point of parliamentary inquiry, that is, yes, number 15.

16:36:53 Um, in that. that you can see that they avoid that question, and then later, in the remarkable email thread, which is.

16:37:02 after that point of parliamentary inquiry, Stephen Nikela admits that before the SIC was passed.

16:37:10 He had met with Sarwark and the VEST legal team, and characterized that meeting by saying.

16:37:16 We all felt that the goals of the vest suit had been achieved.

16:37:21 So that statement is a direct statement of intent before the SIC's passage, before we passed it. He already knew what the outcome would be.

16:37:30 And the effect that it would have on the vest suit, and was negotiating with it ahead of time.

16:37:35 It was a foregone conclusion. We don't know exactly how far in advance that meeting took place, and perhaps Mr. Nikela would like to, uh, shed some light on exactly when that meeting took place. Maybe that would help to clear up some.

16:37:49 details. I see his hand is up, so,Ä¶ If nobody objects.

16:37:52 Okay, through Nikela is fine with me.

16:37:56 Thank you very much, everybody. I just wanted to make it very clear that the meeting with.

16:38:04 Star Walk and, uh, the Beth's attorneys. Um, was in relation to the,Ä¶ the Beth versus LNC.

16:38:12 case that was just recently dismissed. Um, our attorneys from Ackerman were present.

16:38:17 Mr. Hall was present, we simply listened. This was a discussion.

16:38:21 Uh, where they were, at the time, offering a settlement.

16:38:25 And we've simply listened, and we did not agree to the settlement terms. Um, you know, we, " We heard what they had to say, we didn't, " offer anything. We didn't, " explain our legal strategy, or, " 16:38:39 or have any discussions on whether or not their goals have been reached. Uh, what I meant by, in the email to Mr. Sarwark, that was, uh. 16:38:47 published was that, um, when I said that the goals of the Beth suit have been reached, um, what I mean is that they are moot.

16:38:55 And that was essentially our, uh, argument in the dismissal of the suit, is that.

16:39:02 whatever goals they were seeking to reach have already either seemingly been achieved, because Ms. Mcardle had resigned from the committee.

16:39:10 Therefore, there's nothing else to litigate, and the judge should dismiss the case, which they, of course.

16:39:15 did. So that is what I meant when I meant that.

16:39:19 that the goals of the best suit have been achieved.

16:39:22 If I may recall. I may reclaim and redirect.

16:39:22 I just want to make that very clear.

16:39:26 You also discussed the bar. mooting one of the requested reliefs, so the bar on McArdle's tenure would have been an effective.

16:39:34 thing that you were counting on. My only question is, what date did that conversation take place, Mr. Nikela?

16:39:42 Uh, it was months ago, I don't remember the exact date. This was, " I believe it was after, " The SIC had been adopted because the.

16:39:53 LNC had voted that Ms. Mcardle was unfit to.

16:39:57 Uh, to serve as an officer of the organization.

16:40:01 Um, which I understand that the Beth. uh, legal team wished to, " Uh, or Ms. Vest was attempting to, uh, litigate the court should.

16:40:14 put in an injunction that she cannot serve as an officer of a nonprofit organization, which.

16:40:20 You know, quite frankly, I don't believe they have that authority. The court does not have the authority to bar somebody from serving on.

16:40:27 a non-profit corporation, but, you know, certainly the LNC could say whether or not they believe somebody's fit to serve.

16:40:34 Um, we saw in the final dismissal what the judge had to say about that, but that's, " I'm not sure if that's neither here nor there.

16:40:44 in August.

16:40:45 Can I just interrupt here? Look, um, " This is getting a little bit, uh, too much in the weeds for me.

16:40:52 Um, Mr. Martin. Please, I would personally be very interested in seeing.

16:40:59 Any evidence, " I know you've, " you know, I will, " I'll review, " I have read your, " your, " your brief. I'll read it more carefully.

16:41:09 But if you have any documented evidence, not. merely, you know, I was told this, and, uh, you know, and they said that.

16:41:21 Um, but something in writing or recorded. that clearly shows.

16:41:31 bias, um, on the, " in either the Constitution. or the execution of the SIC.

16:41:38 Um, I would be interested in, in, uh. In seeing that, and I hope you will, you will forward that if there is anything else.

16:41:46 Um, if there's a, if there's anything of that nature that you can come up with.

16:41:51 Um, my last, My last question to the, uh.

16:41:52 I'd be happy to.

16:41:56 to the appellants is, um, You know, isn't this a bit of a tempest in a teapot? I mean, we're only talking about a censure here. What, you know, um, Uh, it seems like a lot of, uh.

16:42:11 you know, Sturm and Drong. Uh, over, over, over a century, uh.

16:42:18 you know, I mean, do you see any, I don't see any lasting effects. All it is is a statement.

16:42:24 Or maybe two statements that, um, you know, that the LNC doesn't like you, you know? Or like Ms. Mcardle, and, you know, isn't this a bit of a tempest in a teapot? I mean, how much,

16:42:37 Effort, is it worth, uh, to, uh. to, uh, you know, argue with their opinion.

16:42:45 Go ahead, JJ.

16:42:47 If I may, um,

16:42:49 I see a lot of things in the SIC report that are,

16:42:53 grossly inaccurate.

16:42:56 And I think that that is where there is a problem.

16:43:00 It's not so much just the censure.

16:43:03 But it is the comments in the SIC report.

16:43:08 Um, it is the text of those things.

16:43:12 Some of which, um, I believe do misrepresent

16:43:17 uh, statute, some of which,

16:43:20 Uh, I think our virtual McCarthyist.

16:43:23 in nature, where they are trying to find some sort of a connection

16:43:26 Between, uh,

16:43:29 something in prom, let me put it this way, something in proper between,

16:43:32 Ms. McCart, between the fact that Ms. McArdle hired somebody

16:43:36 who lived within a mile of her house.

16:43:40 Um, that that was somehow improper.

16:43:42 Even though there's been no, absolutely no suggestion that that was in any way improper.

16:43:47 Uh, there are a number of things like that in that report.

16:43:51 Um,

16:43:53 I think if they would be, you know, again, remanded and taken, take another look, it might be a different matter.

16:44:03 Okay.

16:44:03 Okay, um, I, uh, reiterate my request for, you know, any hard evidence documented, you know.

16:44:13 written, uh, evidence, not just recounting of, uh. of conversations that we could definitely hang our hat on, because I don't think we can actually.

16:44:24 conduct a trial to determine the truth of, you know, who's correct and who isn't.

16:44:29 It's too difficult, and of course, all of that assumes that.

16:44:32 That we can even find that, that bias is, uh, in the, construction, uh, I mean, the Constitution or the execution of the, uh.

16:44:44 of the SIC is actually even a basis for.  
16:44:48 for overturning, uh, you know, any decision by the LNC.  
16:44:53 Um, I yield my time. Thank you.  
16:44:57 Alright, thank you, Mr. Turnoff. Um, I was slated to be next. I have no questions for this round.  
16:45:03 I may have some later. Uh, Mr. Kinsella is not present.  
16:45:08 So we go to Mr. Strapp.  
16:45:28 Mr. Stratton?  
16:45:36 You don't appear to be muted, but we're not hearing anything.  
16:45:42 It might be his mic.  
16:45:43 There you go.  
16:45:42 Hello? Can you hear me? Okay. Um, yeah, it took a second for my,  condenser to warm up, I guess. Um,  Most of my questions have kind of been covered here, um,  I would like to see what Mr. Latham says, so I'll yield my time to Mr. Latham.  
16:46:00 Alright, alrighty? Mr. Latham?  
16:46:06 Alright, um,   
16:46:07 Just going through my notes, uh, Mr. Martin, um, you mentioned that fraud and misrepresentation  
16:46:15 As used in the statement of principles, are the same thing, so is that your position, that they're the same thing?  
16:46:21 I would say that's a,  that's a sloppy way to characterize it. They can be used colloquially, but misrepresentation is distinct from fraud. Fraud denotes intent.  
16:46:31 I believe in this case, it is the same thing, but that's based on the totality of the evidence, and not a general statement of equivocation.  
16:46:40 And maybe I need to clarify, just as used in the statement of principles are fraud and misrepresentation the same thing?  
16:46:48 Not necessarily. Um, I think that fraud always involves misrepresentation, but misrepresentation does not always involve fraud, such as, uh, all ducks or birds, but not all birds are ducks.  
16:47:02 Why do you think,   
16:47:04 That, along with robbery and trespass, are in the statement of principles.  
16:47:09 Because they inherently violate the core tenets of libertarianism. They inherently discredit and invalidate our ideology.  
16:47:17 These are prohibitions that,  we don't just seek to enforce on the government, but in fact, if there is a legitimate purpose of government, it would be to restrain that exact kind of behavior. And whether we agree on should that be private or should that be public.  
16:47:33 That is generally the province of the use of force, any kind of force, institutional force.  
16:47:38 physical force, and I believe that it's important in this case that we stay true to those principles, because they are what protect us and separate us.  
16:47:46 from the duopoly fraudsters. We don't have to be like them, and this is why.  
16:47:53 And maybe,   
16:47:55 And Mr. Martin, maybe,  I'm gonna turn this over to Mr. Rue, so I'll let him even come back on,  oh, he's even got his hand up, so,   
16:48:02 Um, I just pasted in  
16:48:04 that third paragraph of the statement of principles into the chat,

16:48:09 Um, it seems like it,Ä¶  
16:48:12 The relevant part is that we're denying government to do certain things  
16:48:16 But where governments exist,  
16:48:18 Um, we, uh,Ä¶  
16:48:21 support the prohibition of robbery, trespass, fraud, and misrepresentation. So I guess,Ä¶ and I,Ä¶  
16:48:26 I'm happy to let Mr. Martin continue. I didn't mean to cut him off in this discussion, but since Mr. Roos is the lead  
16:48:33 appellant. Um,Ä¶  
16:48:36 just continue the conversation.  
16:48:37 I'll give it to Mr. Ruth. I will,Ä¶  
16:48:39 Yeah, does it extend beyond governments, being in the statement of principles? For our purposes on the Judicial Committee, Mr. Roos.  
16:48:47 Yes, 100%.  
16:48:49 Uh, we have, uh,Ä¶ the reason why these rules exist is for us to create a libertarian society  
16:48:56 Uh, any societies based on mutual trust.  
16:48:59 Uh, so whenever you have any of those, the long laundry lists there that are prohibitions and nasties that are in the statement of principles,  
16:49:07 Uh, you have what you,Ä¶ the violation that occurs is,Ä¶ hurts that trust in the society,  
16:49:13 And contributes to a breakdown of society.  
16:49:16 And then, of course, all that's left in terms of recourse is violence.  
16:49:20 that's how we got there. 100%. That is how we got there. And the reason why, if you heard an earlier question about  
16:49:27 what's, you know, what's the big deal here?  
16:49:29 It's that trust. It is that trust. We have a prominent member of the party.  
16:49:33 Uh, being, uh, being, uh, there's a chilling effect from the cause of this SIC report and its resolutions.  
16:49:40 toward everybody to work with Angela McArdle,  
16:49:42 Uh, there's an error regarding whether the LNC will pursue legal action against her, because that's what the SIC report authorizes.  
16:49:50 Uh, so yes, there is a lot here to unpack, and this is a conversation that's gonna,Ä¶  
16:49:54 That's been brewing for,Ä¶ we're 9 months, uh, we're 10 months in, frankly, from the start of all this conversation.  
16:50:02 And these allegations. So yes, we have to start from somewhere in terms of returning to that point of trust,  
16:50:10 And, uh, I hope the JC does the right thing, so we can actually have a,Ä¶  
16:50:15 start from a point of clarity on this.  
16:50:20 I mean,Ä¶  
16:50:22 J,Ä¶  
16:50:19 Okay, I just want to kick it back to Mr. Martin, did you have anything to add to that?  
16:50:26 Okay, sir, yes. Um, I would just add that the prohibition on fraud, for instance, is not something that we only prohibit in government spheres, but that if there is a government fraud in general in the society ought to be prohibited.

16:50:40 if that's the position that we hold, then it holds true that in this governance board, arguably.

16:50:46 that it should also apply, and that if we do not uphold that principle.

16:50:51 that it severely injures the party's reputation and public image.

16:50:55 And to echo what Mr. Roos said about the significance of this.

16:50:59 we're talking about potential, "not just potential legal liability, but," but real jeopardy.

16:51:05 from several different angles, because this SIC report is not narrow. It focuses on people who are now.

16:51:12 like Mr. Kennedy, who is in the administration and provides a vector of attack and useful idiocy for us to be.

16:51:19 tools in political attacks from the establishment based on our sloppiness. We need to do better.

16:51:25 Okay, and I did hear Mr. Jacobs wanted to be heard. I see Mr. Roosh, your hand is up, presumably on his behalf, so,

16:51:30 I see in the chat, Mr.

16:51:31 Well, JJ's? Yes, from a purely,

16:51:35 procedural perspective.

16:51:37 Yes, the, um, Article 3, Section 1,

16:51:42 has brought the statement of principles into binding force

16:51:47 within the,

16:51:49 Uh, entire libertarian part.

16:51:52 Including the LNC. Including the Judicial Committee, frankly.

16:51:56 Uh, it's, "it is the," it is now one of, "by,"

16:52:00 By virtue of that clause,

16:52:03 It is now something that,

16:52:07 does, "and I believe in the words of D. Frank Robinson,

16:52:11 Tether, the statement of principles to the party.

16:52:17 Okay, I'm gonna get a little,

16:52:20 Thank you, Mr. Jacobs and everybody. I'm going to get maybe a little, uh,

16:52:24 existential ideological here, um, I'll start with you, Mr. Roos.

16:52:29 just asking this hypothetical. So, an LNC member robs another LNC member,

16:52:34 And by raw, I mean one hypothetical member takes possession of the property from another hypothetical member,

16:52:40 Uh, from that member's person or in that member's presence.

16:52:44 Uh, by violence, or by putting that member in fear,

16:52:47 Does this judicial committee have the authority to fashion a remedy

16:52:51 or do anything else to make whole,

16:52:54 the wronged LNC member.

16:52:58 I believe it's, uh, there has to be an LNC action in which,

16:53:02 the appeal, "an appeal can be made to.

16:53:04 So, you have not described to me an LNC action.

16:53:07 How would the LNC

16:53:09 address that. Like, what authority would the LNC have to address that?

16:53:14 Possibly removal of the person in question, the trial, and essentially the,

16:53:21 a disciplinary action.

16:53:22 That can be appealed to the JC.

16:53:25 Okay, but the LNC can remove or suspend a member for  
16:53:30 a lot of things, right? At least, it's got to have cause, right?  
16:53:34 Isn't that,Ä¶ let's stop there, not make it too complicated.  
16:53:39 If you're talking about, uh, what the cause is, as,Ä¶  
16:53:42 As we have debated this issue at length for the last year,  
16:53:45 Uh, yeah, whatever the,Ä¶  
16:53:46 My point is that the cause can be beyond,Ä¶  
16:53:49 robbery, right?  
16:53:52 Yes, there's many causes that can apply.  
16:53:55 to a disciplinary action.  
16:53:57 Okay, so,Ä¶  
16:54:00 maybe changing a hypothetical then, um,Ä¶  
16:54:04 an LNC, hypothetical LNC member interferes with the property of  
another member,  
16:54:09 You would say this, by the same token, this Judicial Committee  
has the authority to fashion a remedy  
16:54:15 Or do something to make whole that wronged LNC member who has  
been  
16:54:21 trespassed against by another LNC member.  
16:54:24 May call, as in return property, or order someone returned  
property, I think, uh,Ä¶  
16:54:29 Mr. Krawchuk had said earlier that  
16:54:31 And I agree with what he said, that it's,Ä¶  
16:54:34 the limitation is just voiding the LNC action.  
16:54:37 That's,Ä¶ that's all the JC has available to it under the  
bylaws.  
16:54:41 So, so you're saying,Ä¶  
16:54:42 Or not voiding the action. Or not voiding the action, of course.  
Thank you, JJ.  
16:54:47 help me out here, just so we're all clear. Not void the action.  
So, the LNC would authorize some kind of trespass against another member,  
16:54:56 And by not voiding it,  
16:54:58 the LNC is,Ä¶  
16:55:01 I guess participating in that?  
16:55:05 Uh, for argument's sake, uh, the,Ä¶ the JC has,Ä¶  
16:55:10 face this sort of situation, that sort of scenario before, so I  
know why,Ä¶  
16:55:14 comes to mind, where, uh, particularly, like, litigation in  
Michigan, where, you know, who owns what, and who's disturbing what  
process,  
16:55:22 That could be a,Ä¶ could have been appealed to the JC,  
16:55:26 Uh, for the,Ä¶ under the same kind of reasonings, uh,  
16:55:29 Not, not our,Ä¶ you,Ä¶ you don't mean our Jayden.  
16:55:31 The National JC?  
16:55:33 I mean, the national,Ä¶ well, yes, the LNC had authorized action  
in the past against the,Ä¶  
16:55:38 a group that had been claiming, whether it's, like, Virginia or  
some other group in Michigan, or some other group in any other state.  
16:55:45 Uh, and,Ä¶  
16:55:45 Okay, so you're,Ä¶ we're not really challenging,Ä¶  
16:55:49 the Michigan affiliate, we're challenge,Ä¶ the challenge was to  
what the,Ä¶  
16:55:53 LNC did in reference to that.  
16:55:55 Michigan.

16:55:55 That's the LNC action, that could be appealed, and then the JC would consider it, and either  
16:56:00 Uh, take no action, or,Ä¶  
16:56:04 or avoiding the action.  
16:56:06 Okay, thank you. Um,  
16:56:09 And then,Ä¶ Mr. Jacobs, while you're here, I'm just also gonna paste into the chat, this is,Ä¶  
16:56:17 Section 43,Ä¶  
16:56:18 I can't see it. I'm on the phone. I'll send it to you.  
16:56:20 Well, but I think you,Ä¶ because you have just an, uh,Ä¶  
16:56:27 Okay.  
16:56:24 an encyclopedic knowledge of our parliamentary authority. I'll just reference it's 4321.  
16:56:29 Um, refraining from attacking a member's motives.  
16:56:34 And I'm just gonna ask you, is,Ä¶  
16:56:37 Is there a better way? And mindful of that language, is there a better way for a party member  
16:56:44 to make a complaint,  
16:56:46 about a factual dispute over  
16:56:49 the veracity of an action of the LNC  
16:56:52 Without calling it misrepresentation, without calling it fraud,  
16:56:57 in a way that comports with  
16:56:59 that language from the party's parliamentary authority.  
16:57:04 Well, no, I'm familiar with it, I just looked up what you referred to.  
16:57:04 If I may, stop.  
16:57:09 And there is, however, a very important exception.  
16:57:13 And,Ä¶  
16:57:15 I'm just going to get it for you, if you give me a second.  
16:57:19 Um,Ä¶  
16:57:21 Let's see,Ä¶  
16:57:26 I don't know, that's,Ä¶  
16:57:28 Yeah, um,Ä¶  
16:57:37 Let's see,Ä¶  
16:57:56 No, there is a rule about a motion that could not be  
16:58:00 Um,Ä¶  
16:58:04 it's actually 39.7.  
16:58:06 There is a rule about introducing things that could not be, uh,  
16:58:11 stated in debates, such as attacks of a member's character.  
16:58:16 However,  
16:58:18 That is accept,Ä¶ it notes beginning at that,  
16:58:22 Except in the case of a motion to censure or a motion  
16:58:26 for disciplinary procedures.  
16:58:29 So, in those cases,  
16:58:31 Where there would be something, it could,Ä¶  
16:58:35 actually look at a member's  
16:58:38 uh, character or motives.  
16:58:41 Um,Ä¶  
16:58:44 be it unnecessarily harsh, or whatever.  
16:58:46 That would be considered.  
16:58:49 I don't think,Ä¶  
16:58:48 Okay, thank you, and for those exceptions at play here,  
16:58:53 In this appeal.

16:58:53 Uh, they could very,Ä¶ they could very well be, since we are talking about something that is claimed a violation of the rules.

16:59:01 So any alleged violation of the rules allows people to call others frauds, liars, you're misrepresenting, and not be out of order.

16:59:10 Um, misrepresentation, uh, probably may actually be in order under normal cases.

16:59:17 Um,Ä¶

16:59:19 Probably allow it if I were chair.

16:59:22 Uh, fraud may be a slightly different stamp.

16:59:26 Uh, but there would be certain circumstances where you would be talking about something that would be

16:59:32 dealing with, uh, a motion to censure or a motion relating to disciplinary procedures.

16:59:37 Which this kind of is.

16:59:40 They require looking into the motives of the person, it may require exciting

16:59:43 I personally don't do it.

16:59:46 But, um,Ä¶

16:59:49 I would not say it was necessarily out of order.

16:59:53 Okay. Oh, and I see Mr. Roosa's hands up, Mr. Roos.

16:59:57 If you,Ä¶ just to contribute a little bit to this, uh, is that, uh, this,Ä¶

17:00:02 The rules exist to keep a healthy and productive society.

17:00:07 Uh, together, and cohesive.

17:00:09 Uh, the fact that we call member here is LNC members.

17:00:13 Uh, and Angela McArdle had resigned, and when there is a conflict on the board, that is an option,

17:00:19 That you're supposed,Ä¶ that is,Ä¶ that Ronner supposed,Ä¶ prefers, as opposed to what we've seen.

17:00:25 So I just wanted to point,Ä¶ just wanted to point that out as, uh, we may lose focus on that sometimes.

17:00:31 Yeah, I personally would not,Ä¶

17:00:35 just if this were being used in debate.

17:00:37 I would personally not find saying that another member had misrepresented something.

17:00:43 to be out of order.

17:00:45 Okay, and Mr. Martin, I see you have your hand up.

17:00:48 Yes, thank you. Um, I think there's a couple of very important distinctions. If we were having a discussion about a motion to.

17:00:56 you know, thank Thomas Massey, and I criticized someone's motives in the middle of a proceeding.

17:01:03 that's not about that. Right? That would be out of order.

17:01:08 But if somebody brought a motion saying, or some kind of instrument saying that there was a misrepresentation.

17:01:14 That is not out of order. That is not what that applies to.

17:01:19 And so, in a situation where misrepresentation is the focus of the question, it necessitates.

17:01:25 our ability to look into those things. Otherwise, we're saying that misrepresentation is completely off the table.

17:01:32 And that lies are okay. Right? Which we know that they're not. There has to be a way to bring the truth into scope, and to do so appropriately. So these rules are designed to prevent.

17:01:42 improper attacks on the motive. And I want to make an analog here that's really important, because I'm sure there's a situation that comes to mind that's already been mentioned.

17:01:51 Um, Mr. Mcgee incorrectly characterized. my statements, my public statements about the SIC. I was not attacking the members or any particular person.

17:02:02 I was attacking the language of a self-refuting proposition.

17:02:06 I had a screenshot of the SIC report's statement on independence, and I said, this is straight-up fraud.

17:02:14 publicly on my personal ex-account, which had very few followers.

17:02:18 And they decided to immediately censure me, or attempt to do so, he incorrectly stated that they did. It actually did not pass.

17:02:25 Um, they had to come back again later. But what I said,Ä was true. And I did actually consult with a lawyer to make sure that I was within my rights to do so before I said, no, I'm not going to comply with the request to take this down.

17:02:40 Because it's true. That is a misrepresentation of fact, and it's self-evident from the proposition itself, and so I'm characterizing the language as being.

17:02:50 One of intentional misrepresentation. It has a meaning, and it's proper to use it.

17:02:54 But I did not during a meeting, during a debate.

17:02:58 raise,Ä he's, you know, trying to commit fraud and trick you guys, right? That would be an out-of-order attempt to wrongly attack the motives of a speaker or a member in a.

17:03:09 parliamentary setting, and so I would submit that this rule.

17:03:12 is kind of a non sequitur in this situation, sir, respectfully.

17:03:17 Thank you, Mr. Martin. Um, I want to return back to Mr. Jacobs. You've, um, advised

17:03:23 many other organizations using

17:03:26 our parliamentary authority, I imagine those organizations have created

17:03:31 investigatory committees, they populated those investigatory committees with

17:03:38 the members of that organization,

17:03:40 Um, does our parliamentary authority

17:03:45 require any member from an organization

17:03:49 Uh, participating in an investigatory committee to be independent.

17:03:54 Um,Ä no, it says that they are supposed to be selected for good judgment, but that good judgment

17:04:02 Um, let me get you the actual quotation on that.

17:04:06 Please have the book in front of me, I just flipped through it.

17:04:07 Um,Ä

17:04:10 Because this actually did come up at one thing.

17:04:12 Uh, in one case,

17:04:15 Uh, let's see,Ä

17:04:21 Where is it? Okay. It says that the committee should be known for its integrity and good judgment.

17:04:28 Uh, I think that that is,Ä

17:04:31 Uh, the assessment of that is in the eyes of the people that are selecting that committee.

17:04:37 Okay.

17:04:37 It doesn't say anything about it being independent.  
17:04:40 That is another standard that would be existing in law.  
17:04:44 Okay, and that was actually getting in my next question. Does our parliamentary authority define what constitutes independence?  
17:04:52 Okay. Mr. Ruscian?  
17:04:53 Independence is not a standard, uh, that independence  
17:04:57 would have to be done  
17:04:58 Uh, in a, " as it was used in this case, and for the purpose of this,  
17:05:03 was to, um, " to  
17:05:06 to have an independent investigatory committee.  
17:05:10 under the, um, auspices of  
17:05:13 DC statute.  
17:05:15 So that's where you would have to look for what constitutes independence and what does not constitute independence.  
17:05:20 Okay, Mr. Roosh, you have your hand up?  
17:05:22 Yes, just responding with what Mr. Jacob just said regarding independence. The SIC report contains its reference to what it refers to when it means independence.  
17:05:33 And we take them at their word. That's what they mean, because that's what's the plain language.  
17:05:38 And that's why the analysis of why we believe the misrepresented their independence.  
17:05:44 Uh, including an admission of a conflict of interest, uh, as, uh, "  
17:05:50 as what it is.  
17:05:52 I can't, " I can, to add to that, say, since we are talking about  
17:05:57 Uh, what the D.C. courts have said.  
17:05:59 The initial, um, "  
17:06:02 case where the initial, uh, "  
17:06:05 SIC report was rejected, if I recall correctly.  
17:06:09 on the basis that that committee was not  
17:06:13 independent, and they had determined that there were, uh, certain, "  
17:06:17 For example, uh, one person was, um, "  
17:06:22 a patron of something that Ms. McArdle did.  
17:06:25 And or was a contributor, and uh, "  
17:06:28 that was sufficient to, uh, say that it was not independent.  
17:06:34 All right.  
17:06:36 Um,  
17:06:39 And then, so I guess, thank you. I'll turn it over to Mr. McGee.  
17:06:45 Um, for the LNC,  
17:06:47 Same question that I asked, um, "  
17:06:51 The petitioner, uh,  
17:06:53 Is fraud and misrepresentation as used in the statement of principles, the same thing?  
17:07:01 And why is that?  
17:06:59 I don't believe so, no.  
17:07:09 Well, in the one instance, there's the, " implication of, " certain actions being taken.  
17:07:18 In the one sense, and in the other sense.  
17:07:20 There is also a sense, " similar to fraud, but slightly different, and with.

17:07:29 potentially different contexts. Depending on what the supposed act being described is.

17:07:36 Okay, uh, Mr. Chairman, I believe that is all I have for this round. Thank you.

17:07:46 Thank you, Mr. Latham. We will,Ä¶

17:07:48 That concludes the first round of questioning. We will now move to,Ä¶

17:07:53 rebuttal, 5 minutes each.

17:07:56 First, the appellates.

17:08:00 Okay. Well, uh, you wanna, uh,Ä¶ let me say a few words, and then JJ will follow up with me. I'll be fast. The,Ä¶

17:08:10 There is a question here, of course, of fairness, but there's really, overall, these facts, uh, these facts that are,

17:08:16 various facts are in dispute.

17:08:19 The lack of alternatives to describe what's occurred over the last year, or the year of, uh,Ä¶

17:08:24 In question that was under investigation.

17:08:27 Uh, put it to you this way, it's something that doesn't get said enough is that the fortunes of the LNC were in decline.

17:08:35 Uh, uh, Ms. McArdle, as chair of the LNC, took her actions to

17:08:39 to, uh, to buoy those fortunes.

17:08:42 and did so successfully. Uh, and,Ä¶ and in the,Ä¶

17:08:46 And the one,Ä¶ one of the few fundraising programs that was active throughout that year of the investigation

17:08:52 Was,Ä¶ was this, uh, relationship with this vendor, Freedom Calls,

17:08:55 Uh, and no other,Ä¶ and with the,Ä¶ with fundraising actually coming, uh, effective

17:09:00 was coming in, there was no other real explanation given in the LNC.

17:09:05 by the LNC as to where else was funds coming in, because there really weren't any other fundraising staff or contractors doing that type of work that could,Ä¶ that you could point to them for.

17:09:15 And frankly, if, uh, regard,Ä¶ the typical amount that staff was being paid to do so,

17:09:22 was somewhere, uh, maybe \$100,000 a year between all staff, all included, maybe a little bit more.

17:09:27 Uh, and so we're,Ä¶ we're talking,Ä¶ and the cost of Freedom Calls is somewhere around \$50,000, maybe less.

17:09:35 Uh, the question was, uh, is,Ä¶

17:09:37 So, we're,Ä¶ we're having a conversation here about, uh, want to make sure we're having the right conversation here about

17:09:43 where is the fairness here when we're,Ä¶

17:09:45 Uh, having to justify all this,Ä¶ all this effort regarding a, uh,

17:09:51 some confusion regarding about

17:09:55 what,Ä¶ what actually happened for fundraising in the Libertarian Party

17:09:58 Over this period of time. And I'll leave the rest to JJ. Thank you. Okay.

17:10:03 Thank you. Um, I just wanted to, and this will be short, I will yield back the time after I'm finished,

17:10:09 Um,Ä¶

17:10:11 There was an attempt to rescind

17:10:13 this, uh, committee report.  
17:10:17 The comments on it were basically, and I am paraphrasing,  
17:10:22 of why people voted against precision was,Ä¶  
17:10:25 We don't have anything else.  
17:10:27 Not,Ä¶ this was a good report,  
17:10:29 Not. We did a really good job, it was,Ä¶  
17:10:31 Gee, this is all we got.  
17:10:34 Uh, that's not a ringing endorsement for this report.  
17:10:38 Um,Ä¶  
17:10:41 This is something that does need to be sent back to the LNC  
17:10:46 So that they can do a good job.  
17:10:50 I'll yield back my time.  
17:10:55 All right, thank you.  
17:10:57 Yep, your time.  
17:10:58 You still have 2 minutes.  
17:10:56 If I may.  
17:11:00 I think,Ä¶ I think it's really important here to recognize that  
the key thing hinges on whether or not.  
17:11:08 misrepresentation is something that we can knowingly allow, and  
it's that knowingly part that's the biter. We're not talking about  
accidental mistakes.  
17:11:16 We're talking about substantive issues. that it was the job of  
the SIC to get to the bottom of it, and we outside are able to piece  
together enough to show that that's.  
17:11:26 Total nonsense. And we,Ä¶ we need a,Ä¶ we need answers. We,Ä¶  
and then we go and try to find them, and there's no evidence.  
17:11:33 And as far as,Ä¶ as destruction of evidence goes.  
17:11:36 There's this broad pattern. not just destruction of evidence,  
but concealment in general. The idea that this is an open process that we  
can all look at this report and have answers as to what happens is kind  
of ridiculous.  
17:11:51 the misrepresentations are self-evident. Meaning they're there  
in the report. You don't even need anything outside the report to show  
that the report is not.  
17:12:01 accurate in a way that's embarrassing and damaging to us.  
17:12:04 The refusal to correct it is a problem. And the fact that it has  
dire legal implications and dire political implications.  
17:12:13 And potentially larger implications than anyone realizes,  
depending on what happens with it.  
17:12:20 I'm really relieved that Vest V LNC is dismissed, because it  
should be.  
17:12:25 But the fact is, is that we submitted false.  
17:12:28 perhaps misleading legal arguments to the court to do it, and we  
were blocked from even talking about it. It's all directly related.  
17:12:35 to this process. Those are, at first glance, not the same thing,  
but,Ä¶ There is a direct relationship going on here between some of the  
litigating parties.  
17:12:46 some of the LNC members, the SIC members, it's not appropriate.  
There needs to be a proper separation of conflicts of interest. We need  
people who are not on all sides of the transaction.  
17:12:57 And talk about direct evidence. I mean, it's abundant. There's  
hundreds of statements of intent from before the SIC was formed by SIC  
members.  
17:13:08 Sorry, Mr. Siebeck, did you,Ä¶ were you interrupting me?

17:13:11 You're out of time.

17:13:15 All right, Mr. McGee?

17:13:13 Yes, sir.

17:13:18 Well, uh, thank you, thank you, Mr. Siebeck. Um, well, it's clear that Mr. Martin is not a big fan of mine. However, I would like to agree with his.

17:13:28 Mr. Roos's statements about concealment and, uh, you know.

17:13:33 the convictions of Mr. Martin that, you know, we need to get this right, and that, you know, somehow the evidence isn't out there.

17:13:42 Um, again, I will reiterate my point from my opening statement. Um, the SIC made its decision based on the evidence it had.

17:13:50 And the non-participation of. Ms. Mcardle and her domestic partner, uh.

17:13:57 directly contributed to any gaps we have in our evidence.

17:14:00 Uh, again, recommendation 3. of the SIC report.

17:14:05 advises the LNC to continue seeking that documentation, none of which has been produced to date.

17:14:10 Um, and to remind everyone of the, uh, primary events that triggered all of this.

17:14:17 This all started very much in mid-July, or mid-2023.

17:14:21 With the hiring of Ms. Mcardle's domestic partner. As a fundraising,Ä as a fundraising.

17:14:29 contractor, essentially. Uh,Ä And, uh, she did not disclose the committee that.

17:14:36 Mr. Padgett was, in fact, her domestic partner. And that caused a lot of, um,Ä consternation on the committee.

17:14:45 And as a result, uh. the contract was allowed to go through.

17:14:50 But as a result, a policy manual amendment was passed specifically to prevent.

17:14:56 Anything like this happening again. And so, a few months later.

17:15:01 The contract is renewed. But it's basic,Ä but, but,Ä Ms. Mccar,Ä

17:15:11 Carter was told, basically, point blank. So, at that point in time, at that point in time, the,Ä Uh, at that point in time.

17:15:19 Mr. Patchett had been listed as. on Ms. Mcardle's list of conflicts of interest.

17:15:25 However, once the contract was terminated. Ms. Mcardle then removed Mr. Padgett from her conflicts of interest.

17:15:35 And then, using her authority as the executive director.

17:15:40 entered into a contract with,Ä or,Ä some sort of agreement with Freedom Calls.

17:15:45 without the consent of the LNC. I,Ä Again, uh, this is all public record, and certainly, at this point, even the.

17:15:56 exhibits presented by Mr. Roos show that, uh. Ms. Mcardle herself has confessed that.

17:16:03 Mr. Patchett was, in fact, directly involved with the activities of Freedom Calls.

17:16:08 Uh, to me, that's pretty cut and dry.

17:16:15 What you want to call it, have at you your duty. I'm not calling it embezzlement, and for the record, the word embezzlement doesn't even appear in the SIC report.

17:16:24 the,Ä speaking of misrepresentation. Uh, the attempts by the petitioners to grossly misrepresent.

17:16:32 My argument and the report. quite frankly, have gotten a little,Ä out of hand. Um, but, you know, they're free to characterize things the way they want to. They have First Amendment rights.

17:16:44 So be it. But I would like to set the record straight on that.

17:16:47 And then moving to, uh. The relief requested number 3.

17:16:54 the controls that were introduced. to better our practices with regards to.

17:17:02 uh,Ä financial oversight and managing conflicts of interest. All of those motions that were passed in Grand Rapids and the following meeting.

17:17:11 could technically fall under the,Ä motions that would be voided if you were to grant, uh, the third relief requested.

17:17:20 Which would be significantly outside the scope of just the SIC report itself.

17:17:25 And, quite frankly, I think, uh. That would probably be a bridge too far, but certainly it's not for me to judge.

17:17:33 Um, I yield back my time.

17:17:38 Thank you, Mr. McGee. We now enter the second round of questions.

17:17:43 Um, same order as before. Again, Mr. Montoni is not here.

17:17:47 Mr. Krawchuk.

17:17:56 Thank you, Mr. Chair. I only have one, it keeps coming back to it. Mr. Martin.

17:18:01 Twice you've said that. Evidence has been destroyed, and twice,Ä Mr. McGee has said it has not.

17:18:10 Can you give me one example? Maybe two, of what was destroyed?

17:18:15 And Mr. McGee, could you respond, telling him whether it was or wasn't?

17:18:21 Kixie call audit data. Where's the Kixie call audit data, Mr. Mayor?

17:18:26 I'm sorry I can't hear you.

17:18:28 Kixie call audit data?

17:18:32 Okay? Mr. McGee?

17:18:35 it's,Ä

17:18:38 Uh, I was not involved in,Ä any part of that, so I can't tell you.

17:18:45 One way or the other, where it is. But certainly, I would imagine Stan,Ä would be able to handle any such request.

17:18:55 Wait, wait, was it or wasn't it the,Ä Was this,Ä was it or wasn't it destroyed? You said it,Ä nothing was destroyed, now you're saying you don't know?

17:19:03 I'm saying I,Ä I have no,Ä to my knowledge, nothing has been destroyed.

17:19:08 But I'm also not,Ä was not the one involved in the Kixie audit data.

17:19:13 You also said the SIC report didn't use the word embezzlement.

17:19:18 Did it? Well, that's not evidence being destroyed. Mr. McGee, is that true?

17:19:27 Hello?

17:19:35 Mr. McGee, are you with us?

17:19:37 I'm sorry, I must have missed your question.

17:19:40 Oh, well, he just mentioned that embezzlement. was mentioned in the report, and you said it wasn't?

17:19:47 I will double-check that right now. I will CTRL-F in,Ä¶ bezel Mint,Ä¶ let's see,Ä¶ no results found. No,Ä¶ sorry, no results found.

17:19:51 Okay. Okay, while he's doing that, go back,Ä¶

17:19:58 Okay. Mr. Martin?

17:20:00 Well, if I'm mistaken on that, then you have my sincere,Ä¶

17:20:03 Why did you say that, then? You know, I'm hearing stuff on both sides, it's just not true.

17:20:08 before I,Ä¶ before I fact-check Mr. Mcgee on the spot here, because I'm pretty sure that in the, uh, one of the motions, or in the report itself.

17:20:18 that the word is used at some point, but I could be mistaken on that, but it's an understandable mistake for someone to make because the report is designed to lead the reader.

17:20:26 to a legal conclusion. that embezzlement occurred, and that is why the entire internet calls Ms. Mcardle Invisible.

17:20:30 All right.

17:20:33 So, I think it's a reasonable mistake, uh, for someone to make off the cuff.

17:20:39 We will forgive you this time. Maybe. All right, um, evidence. What other evidence was destroyed?

17:20:46 Uh, sure. Uh, aside from Kixi call audit data, um, there are lots of records that I've requested that have not been provided, and that I've been told I just can't have, or that I can't get, and so these would include things like communications between various members that would pertain to these events.

17:21:06 So it wasn't destroyed.

17:21:14 Hello?

17:21:20 I think Mr. Barton's having, uh, connection problems.

17:21:19 Hello? I would too. I'm hearing stuff on both sides that just easily refutable by the other side.

17:21:28 Well, you,Ä¶ if you,Ä¶ if,Ä¶

17:21:30 I'm not hearing people being straight-up honest here.

17:21:36 It sounds like a bunch of libertarians arguing with each other, making up stuff.

17:21:39 It certainly does, but I'll tell you what's not,Ä¶ what's gonna be true. It's whatever's in the SIC report itself, because it reads for itself.

17:21:46 Uh, and what it doesn't,Ä¶ it doesn't actually,Ä¶ it doesn't provide any copies of,Ä¶

17:21:51 It provides a limited snapshot of data that's available to it, that,Ä¶ and we're supposed to just take it completely at its word.

17:21:59 Uh, as is. Like, so, in other words, there's a bunch of conclusions in the SIC report with not a lot of facts to support it.

17:22:06 So, that's,Ä¶ that's all I'm here to talk about.

17:22:07 Um, excuse me, I need to interrupt everybody here.

17:22:11 Hold it, hold it, everybody, please.

17:22:10 Easy. Easy. Thank you.

17:22:13 Mr. Martin, hold it, please. Mr. Martin dropped,Ä¶

17:22:17 So, we're going to pause until we can get back in.

17:22:52 Stand by one moment. Stand by one moment, Tulsa.

17:22:53 Google Verizon. This meeting is being recorded.

17:22:56 Okay, please resume.

17:22:59 I apologize. Um, I feel like there have been attempts.

17:23:03 to basically,Ä¶ oh, yeah, by the way, I was,Ä¶ I was told by staff.

17:23:08 that the, uh, the Kixi call audit data was destroyed, and that it was no longer available.

17:23:14 So, um, I, I,Ä¶ it feels like I've encountered this problem.

17:23:20 No, hi.

17:23:20 with every single inquiry that I'm making is either it's not available, it's not there, and anytime that I reach the bottom of it.

17:23:27 it's a dead end. Um, there's documentation that. like, there's a question about some of the documents that they produced from some of the porter reporting, that they never went and verified on their own.

17:23:39 Um, but,Ä¶

17:23:41 There were some questions? What's innuendo? Why are you using innuendo now? Why don't you just say what it was?

17:23:45 So, um, like, for instance, on the, uh, on the,Ä¶ which form is that, specifically? I'm forgetting the name of it. The one with the signature that doesn't match Mr. Padgett.

17:23:59 That's a really significant detail that would directly go to ownership.

17:24:05 And throw our questions in.

17:24:04 And our questions, and,Ä¶ try to get to the bottom of,Ä¶ what that's about, and who that could be.

17:24:11 Okay, that'd be nice.

17:24:11 We're not able to,Ä¶ we're not able to actually, like, get any answers out of anybody about that, or about how we,Ä¶ um, you know, came to the conclusion that we did, and we just heard Mr. Mcgee argue and tell us that they reached those conclusions by interpreting silence as guilt.

17:24:27 Um, and I think that's a real problem. I don't think,Ä¶ like, there are ways to investigate this and be thorough and get answers to these questions.

17:24:39 But I'm not in control of this train. It's,Ä¶ it's,Ä¶ It's these guides. And so, if we,Ä¶ Can't answer the questions that are, like, basic to this that should have happened in the SIC itself.

17:24:51 Um, and, you know, they're hiding all of this and basically.

17:24:52 Um, thanks. We're in JC.

17:24:54 to shut me down. I mean, what else do we do? We come here because the rules have failed, the,Ä¶ the,Ä¶ The methods of accountability, the safeguards, have failed, all of them. We're seeing tremendous power abuses. I'm getting regularly.

17:25:10 Okay.

17:25:10 I'm sorry, I don't hear you, but I see you're talking.

17:25:13 Yeah, no, I,Ä¶ Not looking for that kind of thing, it's just,Ä¶ I share your concerns. I'm not getting the answers, I'm getting contradictory answers from both sides here.

17:25:25 And I'm in the same position. I don't know what to do with it.

17:25:28 Well, sir, I would,Ä¶ I would encourage you, in my amicus, I filed it with an extensive.

17:25:34 list of emails and exchanges where each of us, in our own words.

17:25:39 go over this controversy. I've characterized that,Ä¶ as possible, and while it's dense.

17:25:42 I know, I've read it.

17:25:48 I'll,Ä¶ I'll let,Ä¶ I'll let Mr. Hector speak to it, since,Ä¶ I feel like,Ä¶ I feel like it's obvious. We have destruction of evidence.

17:26:00 that,Ä that should be enough. It's,Ä it's happened, it's there, it shouldn't have happened.

17:26:06 I don't know what more I would need to say.

17:26:10 Mr. Chair, I am done. more ways than one. Thank you.

17:26:16 Thank you, Mr. Krawchuk. On to Mr. Tarnoff.

17:26:26 Uh, okay, uh,Ä

17:26:36 I, uh, forgot to ask before, uh. of the, uh,Ä appellant. Are there any procedural issues that we should be considering?

17:26:54 Mr. Chartoff? Are you,Ä are you asking regarding whether the, uh, there was a,Ä

17:27:00 a procedural issue with the adoption of the SIC report?

17:27:18 Right.

17:27:04 Any,Ä anything. Yes, adoption of the SIC report, or uh,Ä Notice of meetings or, uh,Ä improper,Ä Uh,Ä you know, voting, you know, anything. Are there any,Ä Any procedural issues that we should consider. I did note,Ä

17:27:25 that there was one sort of offhandedly mentioned in the, uh.

17:27:30 In the petition. Uh, but, um, I didn't really,Ä see much of a basis for it, so I was wondering, uh.

17:27:39 I did ex,Ä

17:27:39 Is there,Ä is there any procedural issue here? anywhere,Ä

17:27:42 Yes, I did,Ä I did expand on that on the,Ä in the,Ä in the reply to the LNC, uh, response brief.

17:27:49 Uh, just to say that the,Ä

17:27:51 Uh, that the rule is,Ä

17:27:54 The rule is,Ä well, first of all, the motion to adopt the SIC report was being considered as an original main motion, so it,Ä

17:28:02 It literally had to,Ä it did have to follow.

17:28:04 the policy manual requirement for previous notice.

17:28:07 In doing so, to satisfy the previous notice, you have to put it,Ä you have to mention it in the minutes.

17:28:13 Uh, and to the,Ä in regards to how they did that, they put it in the, you know, they put it in the previous meeting's minutes,

17:28:21 Uh, but this was the extension of, uh, or the continuation meeting that went to that Sunday before.

17:28:28 And so it did end up in those minutes, uh, only to say that, uh, as a note or a report from April,

17:28:36 So, uh, the previous, uh, the previously continued meeting,

17:28:40 Uh, if it sounds convoluted, it is, uh, that,Ä

17:28:44 We need to know.

17:28:44 I'm sorry, could you just clarify what,Ä what,Ä What do you say required?

17:28:51 previous notice. You say there was a lack of previous notice of something.

17:28:54 of the motion to adopt the SS,Ä

17:28:55 Uh, what's that, and where,Ä what is your support for the requirement that,Ä that it must be previously noticed?

17:29:02 Uh, it's treated as an original main motion, meaning that it's been brought up in,Ä the LNC is not obliged to

17:29:09 Simply take a vote to adopt.

17:29:12 adopt the SIC report.

17:29:14 Uh, they, uh, instead they took,Ä they,Ä they could just receive it as is?

17:29:19 Uh, but because there's recommendations there for actions, they decided, they did adopt it through a motion.

17:29:26 Uh, because there's certainly, there are actions that are recommended there that go beyond what was even asked for it to be, uh,

17:29:33 what the authorizing, original motion, or main motion was.

17:29:35 original motion, or main motion was.

17:29:38 So, in other words, they, uh, by doing so, they treated it like an original main motion,

17:29:43 I, I don't think, I don't think there's any disagreement from the respondent on this, on whether the motion to adopt the SIC report was an original main motion.

17:29:52 Uh, so, and they certainly were trying their best to follow.

17:29:57 Uh, policy manual, uh,

17:29:59 1.0, 2.1.

17:30:00 Which requires original main motions to either be announced at a prior session,

17:30:05 With their purport entered into the minutes, or circulated with complete text by email at least 5 days before the meeting.

17:30:12 So, that's where I'll pause there for a moment.

17:30:16 Uh, base, uh, they, there is a,

17:30:20 So, to my, to the under, my understanding, they entered,

17:30:24 The purport of this report,

17:30:27 or motion to adopt the motion to adopt the SIC report in the May 17, 2025

17:30:37 LNC meeting minutes.

17:30:39 Uh, that this,

17:30:42 that they put it there.

17:30:44 Uh, and that this is what it's considered announcing the intention in the previous session.

17:30:50 Uh, however, the argument here is that the previous session requirement

17:30:54 was not met because it is this party's tradition to consider the LNC business list as a new session.

17:31:00 between regularly scheduled monthly meetings,

17:31:03 Uh, the LNC's business list meets basically the DUC test logic for the definition of a new session.

17:31:10 And I say that

17:31:12 Uh, on, as not simply in regards to

17:31:16 The Ronner standard, but because Ronner does not

17:31:21 uh, provide or the authorization,

17:31:23 for email ballots, in the way that we, the LNC behaves,

17:31:29 So, it is the, it's the, it's authorized by bylaw.

17:31:33 Uh, to have an email ballots. So, the LNC, uh, by operation of its bylaws, has, creates this new session.

17:31:41 This is nothing that hasn't been discussed prior, uh, before regarding these, this issue of sessions.

17:31:47 Using the email list has come up before,

17:31:51 Uh, so, if they were going to satisfy the previous notice of requirement in the policy manual,

17:31:57 They would have had to put it, they would have, they would be basically announcing

17:32:00 what's the next session? Well, it's the email list ballot, so you're gonna move it to an email ballot,

17:32:04 Instead, they, they wait a week.

17:32:06 And they say, we're gonna have this special meeting the next Sunday.

17:32:09 I'm not quite following. What, are you claiming, are you saying that, that original main motions.

17:32:19 all require. Previous notice?

17:32:22 That is Policy Manual 1.02.1.

17:32:28 It has since been changed. It's just, yeah, it has since been changed, but it was,

17:32:32 That was the requirement.

17:32:36 The requirement was, that there had to be previous, prior, prior notice.

17:32:43 Yes.

17:32:46 per, um,

17:32:50 Okay, you know, I, I know that in Robert's, Not sure if I can find it quickly.

17:32:59 Um, but there seems to be a difference between.

17:33:04 Uh, Prior notice and the notice.

17:33:10 with regard to, uh, special meetings.

17:33:19 Uh, let me just find the special meetings.

17:33:30 notice requirement of special meetings.

17:33:42 Uh, 916, the requirement that business transact at a special meeting.

17:33:47 be specified in the call. should not be confused with a requirement.

17:33:52 That previous notice of a meeting be given. Is that, is that what's, what's happening here? Are you, are you saying that because.

17:34:00 This was, uh, the call of a special meeting.

17:34:05 that, um, that there should be prior notice, or you're basing it on.

17:34:09 on something in the, um, in the procedure manual that existed at the time.

17:34:14 But no longer exists, which I don't have access to.

17:34:17 The latter. And it's in, uh, that language is both in the appeal brief and the respondent's response.

17:34:23 Right. So, uh, it's the latter. This is a, the call to, the call to a meeting is separate to the actual motion being noticed.

17:34:33 for original main motion being,

17:34:35 Uh, having the pre-note, uh, prior, prior notice.

17:34:38 Does that answer the question.

17:34:54 It says Section 1.02.1.

17:34:42 Okay, so I'm going to put, just for my notes here, what, uh, What number did you say that was under the, um, Under the procedure manual, what, what, uh,

17:34:58 Uh, it's been, JJ was amended, what, 2 months ago?

17:35:02 Month ago? August. August, okay.

17:35:10 This was, uh,

17:35:09 amended in August. Okay. Um, I'll, if somebody could, But send me a copy of that.

17:35:17 Uh, uh, you know, original language in the, because all I, all I have is the current.

17:35:27 Uh, just,

17:35:22 procedural, uh, I think. Oh, wait a minute. Now, mine, My actually says that it was, uh, edited, last edited.

17:35:34 Uh, It says effective date, March 12, 2025.

17:35:41 Should be.  
17:35:46 This is the same, uh, previous, uh, notice requirement, which, uh, ¶  
17:35:40 So it should be in here. 1.02.1, let me, ¶ look here, ¶ 1, ¶  
17:35:51 uh, was, ¶ resulted in the chair, uh, voiding the, ¶ the two  
related, or aperture, ¶  
17:36:00 resolutions.  
17:36:02 Mr. McGee, you, uh,  
17:36:04 You know, I've looked at this before, and I don't see how this  
applies. It says, an LNC member may satisfy the requirement of giving  
previous notice.  
17:36:14 Uh, you know, by, ¶ you know, XXX, and then it says, previous  
notice is not required.  
17:36:20 Unless specified by the party bylaws or its parliamentary  
authority.  
17:36:24 So, where, ¶ can you point to where in the party bylaws.  
17:36:28 or Roberts' previous notices required for this, uh. Uh, for this  
type of, uh, motion.  
17:36:42 So your, ¶ your question is not about the policy menu, but  
what, ¶ what's the requirement in the bylaws themselves?  
17:36:49 Well, the policy manual. if I've got, ¶ have I got the right  
thing here? It says.  
17:36:54 Uh, 102, ¶ 1.02 meetings, sub 1, previous notice. And it  
starts, ¶ an LNC member may satisfy the requirement of previous notice.  
17:37:08 of their intention to address an original main motion at the  
next session, bye, okay?  
17:37:14 But that just says if there is a requirement.  
17:37:20 then this is how they satisfy it. The final sentence of this  
section.  
17:37:26 It says, previous notice is not required. Unless specified by  
the party bylaws or its parliamentary authority. So I'd like to know.  
17:37:37 If this is the only procedural issue. Where in the party, ¶ you  
know, what is the basis in the party bylaws or Roberts.  
17:37:47 But requiring previous notice. for this main motion.  
17:37:50 There is a, ¶ there is a runner requirement, uh, one moment.  
17:37:54 And if you want to skip ahead, it's in, uh, ¶  
17:37:57 I put this in the original appeal, uh, brief,  
17:38:01 On page, uh, 21 and 22.  
17:38:03 a moment, uh, let me get you that Roberts citation.  
17:38:10 Let's see, it looks like 1020, ¶ 1047.  
17:38:18 I have the original one as section 1.02.  
17:38:22 Right. No, we're asking about the, um, ¶  
17:38:26 When an incidental main motion is converted to an original main  
motion in Ronner,  
17:38:31 We're looking for the Rana reference.  
17:38:33 I think it's 10 points. Okay, you won't find one, you will find  
a definition of what constitutes, ¶  
17:38:39 an original and an incidental motion.  
17:38:41 And you will find that on page, ¶  
17:38:45 I think it's, ¶ is it, ¶ or excuse me, it'll be on, ¶ I think  
it's 10, ¶  
17:38:49 Yeah. Yeah, you'll find that in 10R colon 4.  
17:38:56 Let me get my runner open.  
17:39:05 And 105 is active.

17:39:04 An incidental main motion.  
17:39:07 Yeah. Just, "I will be," I must disclose this, we're in disagreement on this point, so that's,  
17:39:15 Where does it require, "where does this intend for."  
17:39:19 Does it mention, uh, "Uh, prior notice."  
17:39:25 Well, that was required for original main motions in the rule.  
17:39:30 But it did not apply to incidental main motion. This was an original main motion.  
17:39:36 Okay, I'm, "so," so you're saying 10-4 is irrelevant to the question?  
17:39:42 Uh, 10-4 determines what is an original and an incidental made motion, so it's not irrelevant.  
17:39:47 Because the things only apply to original main motions.  
17:39:51 Okay. I'm gonna go back to the policy manual.  
17:39:56 Yes.  
17:39:55 Policy manual says previous notice. You're complaining that there was no previous notice, right?  
17:40:02 or insufficient.  
17:40:02 Or it was insufficient. It says, previous notice is not required.  
17:40:07 If I'm reading the right policy manual. Unless specified by the party bylaws.  
17:40:12 or its parliamentary authority. So, I'd like to know where in the party bylaws.  
17:40:19 or the parliamentary authority. It states that previous notice is required for this motion.  
17:40:32 I'm not certain that that's the correct one.  
17:40:34 I'm gonna, "let me see if I can take a look at this."  
17:40:38 Okay, alright, well, I'm sorry to put you on the spot, but if you can, "if you can find that."  
17:40:45 Let me see if I can, "let me see if I can take a look at it." Uh, let's see,  
17:40:44 Uh, and send it to me, uh.  
17:40:58 That's 810.  
17:41:03 I need to see if I can find an earlier one, and I can't.  
17:41:10 Let's see,  
17:41:25 have a copy of it here.  
17:41:28 Now, at the time,  
17:41:40 previous an exception 1.02.  
17:42:12 Okay.  
17:42:14 I need to see, "it helps to see the text when you're looking."  
17:42:17 Um,  
17:42:19 The party bylaws.  
17:42:22 may require notice for special meetings.  
17:42:26 And they may require the gist of what is in there, but I wanted to see something else.  
17:42:32 Let's see, "yeah."  
17:42:34 Um, an LNC member, uh, may satisfy the requirements for giving previous notice of their intention to introduce an original main motion.  
17:42:42 by announcing this at the previous session, when a quorum is present,  
17:42:46 or sending the complete language of the motion out there.  
17:42:49 You are required to give previous notice  
17:42:53 of a motion for a special meeting.

17:42:55 This was a special meeting.  
17:43:00 That's covered.  
17:42:58 Okay, you're ignoring,Ä¶ You're ignoring the last sentence.  
17:43:04 That is common.  
17:43:05 You're ignoring the last sentence here. Previous notice is not required. Do you see that? It says previous notice is not required.  
17:43:11 Unless specified by the party by laws or its parliamentary authority.  
17:43:14 It is specified in the parliamentary Authority. Right.  
17:43:18 And it says what this notice is requ,Ä¶ 1 and 2 refer to what constitutes the notes.  
17:43:21 Fair.  
17:43:24 The final thing that is required in the parliamentary Authority  
17:43:28 is, um,Ä¶ I put the parliamentary notes, uh, 1047 and 1052.  
17:43:28 Where?  
17:43:34 I also think it's 96,Ä¶ I think it is, uh, 915 and 916.  
17:43:40 Now, what was the last one?  
17:43:42 915 and 960.  
17:43:45 6-0? 9,Ä¶  
17:43:47 15, 9 colon, 15 and 9pol and 16.  
17:43:52 Let me look that up. And,Ä¶  
17:43:55 47. If previous notice is given at a meeting.  
17:44:01 superseded by them. That's superseded by the, uh,Ä¶  
17:43:58 It can be given orally. Unless the rules require a,Ä¶ that's  
if,Ä¶ previous,Ä¶ this is not a requirement.  
17:44:05 IV bylaw. I think you probably,Ä¶  
17:44:08 This does not specify a requirement. Uh, that a particular.  
17:44:13 type of motion must be,Ä¶ must have previous notice.  
17:44:19 However, you have,Ä¶ you have to give previous,Ä¶ you do have to  
give previous notice.  
17:44:18 Uh, and you said 10,Ä¶  
17:44:24 four motions that are happening at,Ä¶ or that are going to take  
place at a special meeting.  
17:44:28 And, uh, its original main motion.  
17:44:30 That's temperature. Yeah.  
17:44:33 You mentioned 1047 and 1052, and, you know. Right?  
17:44:35 I did. Okay, well, I would go with 915.  
17:44:38 And I just read 1047, which does not confer any requirement.  
17:44:43 To give previous notice, it just says. that, uh, on how you give  
previous notice.  
17:44:49 Right.  
17:44:54 So, the,Ä¶ Yeah, 915 ducks.  
17:44:50 And 1052, I don't see how it mentions notice at all. Are you  
sure you had the right,Ä¶ number here,Ä¶  
17:44:59 Let me go there. Oh, the only business that can be transacted at  
a special meeting,Ä¶  
17:45:05 that hit at is that,Ä¶  
17:44:59 Okay, and we,Ä¶ I mentioned 9-11 before.  
17:45:06 Which has been specified in the call of the meeting.  
17:45:11 This describes what has to be in there in order to qualify for  
that notice. It basically,Ä¶ it supersedes that requirement in 915 and  
makes it a little bit more,Ä¶  
17:45:21 Um,Ä¶ I mean, it made it, I should say, a little bit more  
stringent.

17:45:26 Okay, you're saying, "you're saying that because this was a special meeting, the.

17:45:32 The only business that can be transacted is that which has been specified in the call of the meeting.

17:45:38 Yes, and it has to be, um,

17:45:42 It has to be the things required for previous notice.

17:45:46 In Section 1.02.

17:45:50 If this,

17:45:51 Okay. 9.16, 9, sub-16 says that the requirement that business transacted at a special meeting can be specified in the call.

17:46:02 should not be confused with a requirement that previous notice of emotion be given.

17:46:07 So, I don't see any requirement. in Roberts or the bylaws.

17:46:17 Well, look at the first line of Section 102.

17:46:13 That would require. previous notice. So, "Is there, " I don't see any, " any, " I don't see your procedural objection here, so, " Is there any other procedural objection?

17:46:30 Yeah, actually, there would be.

17:46:33 Because I actually, um, there would be, and that was that,

17:46:33 What is that?

17:46:38 And the motion, since you've asked for any kind of procedural problem,

17:46:41 When the motions were made at the special meeting,

17:46:44 There was no debate permit.

17:46:48 Debate should only be limited by a two-thirds vote.

17:46:52 But no debate, " but no debate was permitted.

17:46:55 How did they prevent it?

17:46:59 As the chair said, I'm not going to, " I'm not going to permit you to debate.

17:47:06 I can answer more if you,

17:47:06 Okay. I don't know if, you know, I mean, there are, " If the chair acts improperly, there are disciplinary.

17:47:16 Yes.

17:47:15 rules, uh, regarding how to handle that. Were those employed?

17:47:19 May I, " yes, systematically, all of the safeguards failed, and the committee failed to uphold the rules of order entirely in this situation.

17:47:27 Mr. Chatterdon and myself made vehement objections, calling for debate, trying to appeal the ruling of the chair. We were being ruled as dilatory and out of order. If I, " is that the meeting that we were thrown out of? I don't, " I can't recall if that was the one that we got thrown out of, or if we were just being muted regularly.

17:47:46 But the abuse of, " the power of the chair and the factionless majority is something that, you know, it's hard to stand up to, and it sucks.

17:47:56 just being frank with you guys.

17:47:58 Is that characterization reflected in the minutes, or, " in a recording or something else?

17:48:04 Let me take,

17:48:04 it is certainly reflected in the recording. As far as the minutes, I do not believe the minutes accurately characterize the objections.

17:48:12 Um, but I believe that there are records that reflect that objections were made.

17:48:17 And we're basically steamrolled. So, um, no, no debate was allowed, because even after the SIC was made public, and the, it was no longer protected and could be discussed.

17:48:28 Um, they had ruled that we'd already debated it in an executive session, and when I raised this objection, they said, well, we can go back into executive session.

17:48:36 Which, at that point, would have been inappropriate. and our resistance to not going into executive session was then interpreted as.

17:48:46 Um, not wanting debate. Actually, if it, if nobody objects, I would love it if Mr. Chatterton wanted to say something about this. He, probably remembers this meeting pretty well.

17:48:59 I would ask respondents, um, if these characterizations of what happened in the meeting are correct.

17:49:07 Unfortunately, I was not present for that meeting.

17:49:18 Karen was there.

17:49:12 So nobody could, on the respondent side, can say one way or the other whether that characterization,

17:49:16 Uh, would you, would you permit, Would you permit sharinga to characterize his side of the events?

17:49:25 if he was present.

17:49:28 I'm trying to remember which, which, which specific meeting are we talking about? Is this the second time we voted on the SICK adoption?

17:49:38 The 9th. June 9th. The first, uh,

17:49:43 Yes, we're, you guys went into lengthy executive session?

17:49:41 The first meeting?

17:49:47 Okay? So,

17:49:50 I think the question was, coming out of executive session was debate limited.

17:49:57 To your recollection.

17:49:59 I don't believe debate was ever limited. I think that whatever.

17:50:05 whatever we, we do, we do as a body, so, Um, the, rights of members always being respected if the, uh, the body deliberate in executive session, and then moved on, uh, to a vote. That's, of course, appropriate per.

17:50:23 For Rono, that's how a meeting is run, nobody is, uh, you know, everybody gets their turn to debate and to make motions and to say what they want to say, but ultimately, it's up to the body to choose how they wish to move forward. So people may have opinions on.

17:50:38 more time, less time, um, etc, etc, but that's, it's ultimately up to the body at the end of the day to decide how we move forward. My job is to just facilitate the body's.

17:50:48 wishes.

17:50:50 Okay, um, um, I didn't realize that, that, uh, Mr. Martin was speaking of the.

17:50:57 the first meeting. I'm not sure that procedural. problems with the first meeting have anything to bear on, this, uh, hearing.

17:51:07 Um, were there any procedural issues with regard to the.

17:51:12 to the second, uh, I don't know if it was a hearing, but the second.

17:51:14 I'm,

17:51:18 SIC report. adoption, because the first, it's not relevant, right?

17:51:24 I don't recall any procedural issues, and again, I will say that, uh.

17:51:24 Um, pardon.  
17:51:29 the rights of every member are, of course, respected. There may be differences of opinion as to.  
17:51:29 That was for Mr. Martin.  
17:51:36 Uh, and I don't recall specifics, but, uh, you know, whether something should have more time, or.  
17:51:42 That was,Ä that was,Ä that question was for Mr. Martin.  
17:51:42 whether or not something should be voted on.  
17:51:45 Thank you. Um, yes, my comments refer actually to both. Debate was limited on both occasions inappropriately, and in the first, I would say is important, because.  
17:51:57 We did not actually rescind the SIC. on that day, that is the adoption that's still.  
17:52:04 is in place. We,Ä Mr. Bowler and Mr. Nikela worked together to attempt to cure.  
17:52:12 some of the opportune demotions, but I don't recall them doing the same thing with the report itself.  
17:52:18 Um, so I would just point out that what happened on the first meeting is extremely relevant to this.  
17:52:25 But that pattern was not limited to the first meeting. Debate has been regularly stifled.  
17:52:31 And not always by a consenting vote of the body, but oftentimes by inappropriate tactics. And this is a pattern that I go into great detail.  
17:52:40 Um, in my amicus, I know it's a little dense, um, but each reference on there shows a documented.  
17:52:48 occurrence of exactly that pattern. I believe Mr. Nikela is incorrect.  
17:52:57 Right.  
17:52:53 When he represents to this committee that. Um, there was no stifling of debate. It was,Ä it was not allowed at all.  
17:53:03 Okay, well, I'm actually not,Ä Sure, if, um,Ä If, uh, the stifling of debate is a, um,Ä is sufficient, uh, procedural, uh, defect to,Ä overturn.  
17:53:22 Uh, a, uh, a motion, generally. Uh, but, uh.  
17:53:27 I would appreciate it if you could send me.  
17:53:32 some,Ä if you have, you know, direct evidence, you know, a recording or a, uh,Ä uh, you know, with, like, you know, numbers, you know, where on the recording to find this.  
17:53:43 Uh, or, uh,Ä uh, you know, written,Ä written minutes.  
17:53:48 Uh, that would,Ä that would demonstrate. that this happened, then,Ä I will look into whether that is a valid basis.  
17:53:58 for overturning. uh, emotion.  
17:54:07 Oh, sorry, Jake.  
17:54:03 Um, and, you know, and if so, that would be very,Ä Interesting.  
17:54:10 Um, if I can,Ä if I can move on, I don't know, is this Mr. Chatterdon have something important to say, or,Ä  
17:54:19 I think if,Ä if Mr. Roos does not object.  
17:54:22 I don't object, Mr. Chatterton. Go ahead and speak. You've been,Ä  
17:54:26 Uh, yes. Um, I think there are some relevant, uh,  
17:54:30 procedural matters that I think have been pretty directly and openly violated.  
17:54:35 Um, some examples that come to mind is that,Ä

17:54:39 In the August 10th LNC meeting, there was a motion put before the body

17:54:45 Um, that would have,Ä¶

17:54:48 restricted access to counsel,Ä¶

17:54:50 to only the chair and the executive director, that,Ä¶

17:54:54 that policy manual amendment did not pass.

17:54:57 However, in multiple examples since that time,

17:55:01 Um, I believe which are documented in the, um,Ä¶

17:55:06 referenced attachments to Mr. Martin's amicus brief.

17:55:10 Um, and I think particularly, um,

17:55:12 some of the emails regarding ethics complaint.

17:55:15 Um, from late August, if I'm not mistaken, but I can confirm that and give better details.

17:55:22 There's several documented examples of Mr. Nikayla

17:55:26 Um, stepping in after there was ongoing discussions with our attorney, um, regarding specific matters that are relevant to these

17:55:34 Um, items of business, and then,Ä¶

17:55:37 Um, basically, when Mr. Martin and I got onto questions that were starting to expose misconduct,

17:55:44 Um, either through action or inaction, or stifling of action.

17:55:49 Um, specifically stated that we would no longer have access to counsel

17:55:54 Um, outside of executive sessions and meetings, which that's been the standard practice to have

17:55:58 What was the data of that,Ä¶ of those, uh, events?

17:56:03 Um, so the motion to consider the policy to restrict access was the August 10th

17:56:11 Um, electronic meeting of the LNC, uh, that motion,Ä¶

17:56:15 was a policy manual amendment, and it was stricken from the agenda?

17:56:15 All right, I,Ä¶ I,Ä¶ We need to limit this. I think we need to limit this to,Ä¶ events that took place on August 24th, when this.

17:56:26 These, um,Ä¶

17:56:26 A resolution was passed for,Ä¶ Or on, uh,Ä¶ on, uh,Ä¶ February 2nd, when the second SIC.

17:56:38 committee was, uh,Ä¶ was formed, because it seems to me that.

17:56:43 Those are the only two dates that are relevant. February 2nd.

17:56:48 The second SIC was constituted. Uh, you know, were there procedural issues with the Constitution of that?

17:56:56 Um, or August 24th. When the SIC report was adopted.

17:57:08 Pardon me.

17:57:03 And, uh, and the resolutions were,Ä¶ were passed. Um,Ä¶

17:57:07 I think, um, maybe to tie into that is that these deprivations of access to counsel

17:57:14 occurred to the extent that they directly, um,Ä¶

17:57:19 blocked the LNC's ability to make informed decisions on those matters, so as a specific example, I believe meeting the criteria

17:57:26 Um, that you requested on, um, August 24th with that meeting.

17:57:31 I had sent a question to Council,Ä¶

17:57:34 Um, inquiring about the impacts of the resolutions.

17:57:38 Um, that were, uh, related,Ä¶ I described this in better detail, I believe, in my brief.

17:57:44 Um, and, uh, provided the email exchange in that.

17:57:50 Um, in which specific legal questions are answered that I think would be very reasonably characterized that

17:57:57 Absent an answer, whether it's the one I expected or the one I didn't, that absent that answer, it was irresponsible for the LNC to act without having that advice, and there was no,Ä¶

17:58:07 Um, urgency demonstrated.

17:58:10 that forced action that night, and we could not get that legal advice in time for that vote and that meeting. So I think,Ä¶

17:58:17 In the interest of,Ä¶

17:58:19 So the,Ä¶ the interest, uh, that was violated there was that,Ä¶

17:58:17 Yeah, I'm not sure what the violation is there, but,Ä¶

17:58:24 Mr. Chatterton.

17:58:26 I need to speak.

17:58:24 There were specifically legal questions raised that were, uh,Ä¶ okay.

17:58:28 Mr. Chatterin?

17:58:32 Okay, uh, JJ wanted to say something, and,Ä¶

17:58:34 Yes, it just deals with the dates.

17:58:38 Uh, the motion, uh, the SIC was, um,

17:58:42 Originally adopted on,Ä¶

17:58:46 Um,Ä¶

17:58:47 June 9th.

17:58:50 2025. I'm looking at the minutes.

17:58:53 In August, there was an attempt

17:58:56 to rescind that motion that failed.

17:58:59 So I believe one of the key dates would be what happened on

17:59:03 June 9th, when the report was initially adopted.

17:59:09 Uh, let me,Ä¶ let me add to what Mr. Chatterton was saying regarding legal advice.

17:59:15 There was conflicting legal advice being provided in the SIC report.

17:59:23 Only in respect to what author,Ä¶ what authority does the LNC have to prohibit, ban,

17:59:30 a member, because that language explicitly was put into a resolution that they were voted on.

17:59:36 As well as the recommendation to prevent, uh, the, uh, an officer from continuing to serve in the SIC report.

17:59:43 So, those,Ä¶ those are legal, uh, and of course, the other legal conclusions that are made in the

17:59:48 In the SIC report themselves.

17:59:51 So, uh, I believe,Ä¶ what Mr. Chatterton is,Ä¶

17:59:54 his frustration is that they didn't have access to legal counsel,

17:59:58 to inquire as to

18:00:00 what's the basis of these legal, uh, legal, uh,

18:00:05 legal positions, effectively. And later we,Ä¶ later we all learned that the,Ä¶ that the LNC entered a motion to dismiss in the Beth Vest case that was,Ä¶

18:00:14 Court found persuasive,

18:00:17 that neither the court nor the LNC has

18:00:20 the authority to, uh, to ban,Ä¶ a permanent ban a member from consideration in leadership.

18:00:27 or as a candidate.

18:00:30 All right, I'd like to move on to something else here.

18:00:33 Does the appellant claim that the accused has a Fifth Amendment right not to have a negative inference drawn.

18:00:32 Thank you.

18:00:40 for failure to testify or submit evidence.

18:00:58 Austin Padgett, yes.

18:00:47 Right? I mean, there was a claim that the fact that, um, "Uh," Ms. Mcardle and, uh, "Um," and Mr. Padgett.

18:01:01 failed to, uh. to testify that it was not.

18:01:07 reasonable to draw a negative inference from that. Is that, "is that," Appellant's claim?

18:01:12 I, "I,"

18:01:13 reasonable, "Fifth Amendment right are two different standards, sir. I would not say they have a Fifth Amendment right.

18:01:21 to invoke silence and have no reasonable inference drawn from that silence, so there is a situation where silence may indicate a reasonable inference could be drawn. However, here.

18:01:30 there's real question about this. This is a show trial. This is a political stunt.

18:01:36 And anything that she says could be used against her in a much more, um.

18:01:42 unethical way, then you might get away with in court. Maybe we see the same thing happen all the time, but it's the principle of.

18:01:49 When you're in a situation where you have opposition that's gone to the trouble of.

18:01:54 you know, creating kind of an appearance. And going out of their way to do it, I mean, and I've been through this, I'm speaking from experience, I had someone try to set me up.

18:02:05 At one point, for embezzlement. And, you know, I caught on to what they were doing, and if I had not, through no wrongdoing of my own.

18:02:15 it could have resulted in a very similar, though much smaller, scale, situation.

18:02:19 of what we saw with Angela, and it was just attempted political attack on, "and I've seen it done on others. We can't kid ourselves. This is American politics. We're the most powerful country in the world, and we're the third largest party in America, and we have an impact.

18:02:33 And there are a lot of interests. that are interested in us, and we got involved in some big stuff last year.

18:02:39 we should be careful.

18:02:39 So you would say that, that, um. It's not improper to draw a negative inference from their failure.

18:02:48 to provide evidence. But, uh.

18:02:51 It depends on the situation.

18:02:52 In this case, "in this case, it, uh, they should not draw such a negative inference.

18:02:57 Uh, it is not a Fifth Amendment right.

18:03:00 But I would point out that, "Correct.

18:03:00 Correct.

18:03:04 Nothing can be drawn related to what Mr. Padgett,

18:03:07 As he was not a member of the LNC at any point, he is just some individual.

18:03:12 That they would not have the technical ability to judge him at any point.

18:03:18 Okay, well, that is a good point. Um, a couple more things. In the chat, I saw Kyle Davis.

18:03:25 In the chat said he offered Mr. Martin the Kixi data.  
18:03:36 Well, I don't know,Ä¶  
18:03:29 I don't know if he meant the Kixi data, some kind of data, and he did not respond? Is that,Ä¶ is that, uh,Ä¶ Is that a fact? Uh,Ä¶  
18:03:38 I don't recall,Ä¶  
18:03:38 Mr. Davis, Mr. Davis also said later in the chat that he's also bound by his NDA to not provide that data, so I'm not sure what,Ä¶  
18:03:46 You speak,Ä¶ he's double-speaking there.  
18:03:50 Okay. Um,Ä¶  
18:03:54 Okay, um, I think it was Mr. Martin mentioned that, uh, this is my last thing, that internal,Ä¶ there were internal conflicts in the SIC report.  
18:04:04 Um, so I would just say, if those were not,Ä¶ if those external conflicts aren't pointed out specifically in your amicus.  
18:04:12 Um, then, uh,Ä¶ Please, uh, send them.  
18:04:17 to me, because you're, uh,Ä¶ Uh, you're, you know, just a mere statement that that's the fact is,Ä¶ is really not sufficient.  
18:04:28 The, uh, the statement is,Ä¶ includes a reference, and the reference is to Mr. Chatterton's report to the region.  
18:04:34 which he provided, um,Ä¶ as an explanation for his intended vote on that in the short time frame that we had.  
18:04:43 Um, so I,Ä¶ I would refer you to that, and there's other matters that have been brought, so that statement, I felt like it's,Ä¶ it's not my job to reinvent the wheel, I'm merely referencing the work of others, and uh,Ä¶ the evidence that I'm bringing.  
18:04:59 in my amicus, is mostly focused on what happened to me.  
18:05:03 for asking reasonable questions about the SIC, and doing my own due diligence.  
18:05:11 Okay, well, again, if there are internal conflicts in the SIC report.  
18:05:08 and the level of resistance, interference, and,Ä¶  
18:05:20 I would refer you to,Ä¶ I'd refer you to Mr. Chatterton.  
18:05:15 I'm gonna need them pointed out. I will review your,Ä¶ Your amicus, you know, to see if they're in there, but if they're in there, please send them, because otherwise, uh, I can't use them.  
18:05:26 Um, I don't know if Mr. Davis would like to say something about the previous.  
18:05:31 you know, if he has something relevant to say about the previous, uh.  
18:05:35 Kixi data, um. Mr. Davis?  
18:05:38 Sure. Absolutely. Um, so I'm a member of the IS Committee, and I have pointed out to Mr. Martin several times at this point.  
18:05:47 that, um, as a member of that committee, I can get access to, uh.  
18:05:54 like, Kixi, and to show the information from Zoho, showing the amounts, uh,Ä¶ that we're going out to,Ä¶ Um, Ms. Mcardle, etc.  
18:06:05 Um, I've said this consistently. Privately, since June.  
18:06:12 It's,Ä¶  
18:06:13 Thank you, Mr. Davis, and please send it all to the entire LNC, and then let them make a decision about how to release it publicly.  
18:06:19 Thank you.  
18:06:21 If I may, I don't recall,Ä¶  
18:06:24 I'm,Ä¶ I'm,Ä¶

18:06:23 I would,Ä I would add that I've heard,Ä JJ? I would add that I have heard that there is a minority report  
18:06:31 It has been submitted, but I have not seen it.  
18:06:36 Okay, I'm done, Mr. Chair, thank you.  
18:06:41 Alrighty, thank you, Miss,Ä thank you, Mr. Turnoff. Um, I have a couple of questions.  
18:06:46 First one is a very simple question.  
18:06:48 And this is to both sides.  
18:06:52 And I would ask Mr. McKee to address it first, and then the,Ä and then, uh,Ä  
18:06:56 the appellant's secondary.  
18:07:00 The investigative committee had 5 months.  
18:07:02 to which they were doing their work.  
18:07:07 In that time,  
18:07:09 the subject of the investigation committee, Mr. Cardle.  
18:07:13 was silent, and did not,Ä  
18:07:15 According to all reports,  
18:07:18 engage with the committee.  
18:07:20 to set the record straight, or to provide,Ä  
18:07:23 Her side of the story. Why?  
18:07:28 Well, Mr. Siebeck, that's not entirely true. Um, Mr. Roos actually presented an exhibit.  
18:07:33 where I don't know if it was explicitly written by Ms. Mcardle, or ghostwritten by her, but it does.  
18:07:39 put forward her side of the story, but it doesn't really provide any supporting documentation.  
18:07:45 Did she interact with the,Ä  
18:07:47 committee at all?  
18:07:50 To my knowledge, no.  
18:07:54 Same question to the appellants.  
18:07:59 The, uh,Ä you want to go first, Ginger?  
18:08:02 No, no, no, you go, you go first.  
18:08:04 Uh, to the extent that the SIC  
18:08:08 Uh, that the investigation began,  
18:08:10 Before the SIC investigation properly started itself,  
18:08:15 You can see in the SIC report,  
18:08:18 The questions were asked of her.  
18:08:19 That is to say, Ms. McArdle.  
18:08:21 Uh, and they were introduced as evidence into the SIC report.  
18:08:27 Uh, consequence,Ä uh, consequently,  
18:08:29 Uh, the narrative that Ms. McArdle provided to me, uh, that was apparently also provided to an attorney,  
18:08:37 That also reviewed that. Explained that, uh, that she was told  
18:08:41 that the investigation was not about her.  
18:08:44 that the investigation would not come down to any conclusions with,Ä about her.  
18:08:48 Because that was part of her agreement for resigning in the first place.  
18:08:52 So, I believe that just,Ä  
18:08:55 should answer that question pretty succinctly.  
18:08:57 JJ?  
18:08:59 Um,Ä no, I was just going,Ä I was just going to add that, um,Ä  
18:09:06 Uh, as there have been some questions about

18:09:10 Um, her involvement in trying to do something in, um, Colorado.  
18:09:16 That had been raised. Uh, I did offer, with the approval of my client,  
18:09:23 who was the chair of the LPCO. I did offer  
18:09:26 to testify regarding any information there.  
18:09:29 I do have some documentation that basically says,  
18:09:33 She was not involved in it.  
18:09:35 But, um, they did not take me up on that, so I did not know exactly what they were investigating.  
18:09:44 Well, and here's a follow-up. If,Ä¶  
18:09:48 The purpose of the SIC was not specifically directed at Ms. McArdle,  
18:09:55 Correct.  
18:09:54 Would not that be a motivation to fully cooperate with them, to provide information so that they can  
18:10:00 So they could produce their investigation in unbiased and impartial manner.  
18:10:04 And wouldn't refusal to do so, whether it was initially or as follow-up?  
18:10:10 create an implication of  
18:10:13 I was hoping to hide in guilt, because that is the perception that has been put forth.  
18:10:18 Throughout this entire duration of what's been going on, for better or for worse, is what it is.  
18:10:23 So, I'm having trouble,Ä¶ I'm having trouble questioning the motivation for not working this. Yo, this is not a criminal court of law.  
18:10:29 There's not a presumption of innocent guilt and guilty. It's not Fifth Amendment issue, none of that is in play here. This is a private  
18:10:35 I hate to say it, private investigation, we're not talking,Ä¶ we're not talking Magnum PI here, but we're talking about an internal  
18:10:42 investigation as to what was going on with all this stuff.  
18:10:44 And if we're supposed to be dedicated to honesty and transparency and,Ä¶  
18:10:50 integrity, then there should be some sort of attempt of cooperation and attempt to clear names.  
18:10:56 That's where I'm in trouble with it. Now, next question.  
18:11:00 Um, Mr. McGee, in your rebuttal statement, you made a statement that you felt like some of your statements were being misrepresented.  
18:11:10 I would like you to set the record straight.  
18:11:13 Oh, goodness, um,Ä¶ That would take another hour. I would just prefer not to attempt to do that. I think everyone can,Ä¶ come to their own conclusions.  
18:11:24 Alright, fair enough. Um,Ä¶  
18:11:26 broader question for both sides.  
18:11:31 Who signs the pledge?  
18:11:38 Say again?  
18:11:39 Who signs the pledge?  
18:11:42 Correct.  
18:11:41 the individual.  
18:11:44 Is the pledge a requirement to be a member?  
18:11:48 Yes. Nationally, yes. Mm-hmm.  
18:11:52 Nationals what we're talking about here.  
18:11:55 is a requirement to be a member to be on the LNC?  
18:12:00 Yes.

18:12:01 So is it therefore logic to say that the,Ä¶  
18:12:05 that the pledge applies to the members of the LNC.  
18:12:13 You're garbled, I'm afraid, I'm sorry.  
18:12:17 Could you repeat?  
18:12:18 Does the pledge then apply to the members of the LNC?  
18:12:25 Yeah, I would say so.  
18:12:25 Yes, I think so.  
18:12:27 Okay? Does it apply to the LNC as the individual members, or as  
a group?  
18:12:38 If I may? I think it could be both.  
18:12:43 I'll go along with that. Yep.  
18:12:45 What do the bylaws say about application as a group?  
18:12:53 I don't believe that that would be a proper construction, sir.  
18:12:56 Oh, the membership pledge you're referring to?  
18:13:00 Yes, I'm referring to the pledge.  
18:13:02 Well, the pledge in its basis is, uh,Ä¶  
18:13:07 based on,Ä¶  
18:13:08 Uh, the principles of the party.  
18:13:10 So, it would,Ä¶ there is a group connotation there as well.  
18:13:15 How does,Ä¶ how does that application contrast with the bylaw  
statement about application to affiliates?  
18:13:24 Yep.  
18:13:28 You mean with the membership pledge has to be adopted by  
affiliates, which is what it has to be in order to be properly  
affiliated?  
18:13:36 Pencil to the bylaws.  
18:13:39 Okay, cannot an affiliate be removed for violating that?  
18:13:43 or disaffiliated, excuse me.  
18:13:47 They have.  
18:13:48 The point,Ä¶  
18:13:46 Yes.  
18:13:49 Can you repeat that, please? Could you, please?  
18:13:53 If an affiliate be disaffiliated for violating the pledge?  
18:14:01 Uh, very possibly, yes. Oregon was an example.  
18:14:07 The point of all this is very simple.  
18:14:09 The bylaws specifically give ex,Ä¶  
18:14:12 explicit.  
18:14:15 detail about when  
18:14:19 Application of the pledge applies.  
18:14:21 And what violations of that,Ä¶ of the pledge?  
18:14:25 have for consequences in specific cases and not in others.  
18:14:31 So, the argument of the,Ä¶ hold on, the argument of the LNC not  
being bound by the pledge as a group is valid in accordance with the  
bylaws,  
18:14:41 But, each member of the LNC is  
18:14:46 is adhered to the bound of the pledge because of their nature of  
their membership.  
18:14:51 In the party, the same is true for this Judicial Committee, by  
the way, and any other committee that we have going on at the national  
level.  
18:14:59 Where membership is a requirement to be in that committee.  
18:15:03 As the bylaws are written.

18:15:06 So, here is,Ä so, I just want to point that out to point out that how things are worded in the bylaws, in the policy manual, in Roberts,

18:15:15 And there's been a lot of back and forth on that tonight, as well as what's in the weeds of the SIC report.

18:15:23 And all the different interpretations or allegations or arguments regarding it.

18:15:29 that the words do matter.

18:15:31 And they have to be very specific and very clear.

18:15:35 Yes.

18:15:35 And that is something that I think everybody needs to take from this hearing.

18:15:39 to be very careful in how they're saying things in the future to what they're doing.

18:15:44 That's all I have to say. I will go on to Mr. Stratton.

18:15:51 Mr. Seabik, Mr. Stratton left the meeting about. 30 minutes ago.

18:15:56 I did not see that, thank you. We'll go on to Mr. Latham.

18:16:02 Alright, round two. So, just following up on this discussion,

18:16:05 of these, uh, June 9th versus August 24th meetings.

18:16:10 Um, I guess I'll throw this first to Mr. Roos.

18:16:16 So, were there,Ä

18:16:20 I see in the LNC's brief in response,

18:16:24 this language, quote, Mr. Jonathan Jacobs, parliamentarian and a co-competitor, publicly conceded at the August 24th, 2025 LNC meeting that the motion to adopt the report

18:16:34 was in order, if imprudent.

18:16:37 Um, so,Ä

18:16:39 Do you agree with, um, that characterization of what Mr. Jacobs

18:16:45 what his opinion is on,Ä

18:16:48 Whether there were any infirmities,

18:16:51 Well,

18:16:52 at the August 24th meeting.

18:16:54 the August 24th meeting.

18:16:56 Correct.

18:16:57 I don't, uh,Ä I don't,Ä I never had any problems with the, uh, August 24th meeting, no.

18:17:02 Okay, so I may just want to try to,Ä

18:17:05 I think we have a disagreement over the,Ä

18:17:06 Did the August 24th meeting remedy whatever infirmities were,Ä

18:17:11 people were concerned about at the June 9th meeting.

18:17:14 Right, there were some issues regarding procedure in June 9th.

18:17:18 Much of it has been resolved through

18:17:22 The action of the LNC to,Ä

18:17:24 void it, but for lack of notice.

18:17:26 Mr. McGee, I see his hand up.

18:17:29 Okay, but notice was,Ä

18:17:32 resolved, essentially, at the August 24th meeting, is that what I'm understanding?

18:17:36 No, no, no.

18:17:39 Yeah, and I do want to hear from Mr. Jacobs, because I guess, in fairness,

18:17:36 I'm sure the SS,Ä report it. I apologize, may I,Ä

18:17:43 Uh, the one, uh, trying to characterize his,Ä

18:17:43 Okay. Okay, well,Ä

18:17:46 Well, I'm gonna start off by saying I told Mr. Roos this would be how I, ¨ what I would say. Sure. So, um, ¨

18:17:53 Yeah, in my, ¨ in my opinion, the two motions that were adopted

18:17:58 at the, um, June 9th meeting, the two resolutions,

18:18:02 I can get you their text and read it, because I have the minutes up.

18:18:07 were, uh, void.

18:18:08 Because of improper notice.

18:18:10 There was a point of order at the August meeting that ruled that.

18:18:14 Where the chair basically ruled the two motions out of order for improper notes.

18:18:21 I am of the opinion, and I've not changed it, that

18:18:25 There was proper notice given for the

18:18:30 adoption of the committee report itself.

18:18:33 So I did not feel that there is a, ¨

18:18:36 Um, this, ¨ there was a problem with notes.

18:18:40 for the adoption of the committee report itself. And that's where we disagreed.

18:18:45 Yes.

18:18:47 Okay, so what, ¨ and I heard disagreements on Mr. Roosh, you say, ¨

18:18:51 there's not a problem, or sorry, you say there is a problem on August 24th,

18:18:58 June, ¨

18:18:57 Uh, Mr. Jacobs says there's not a problem.

18:19:00 we're talking about the June 9th adoption of the SIC report.

18:19:03 Okay, but now I'm talking about August 24th, and again, the LNC saying in its brief that Mr. Jacobs,

18:19:11 Who's a parliamentarian and a co-petitioner,

18:19:14 conceded at the August 24th

18:19:17 2025 LNC meeting, that the motion to adopt

18:19:21 The report was in order, comma, if imprudent.

18:19:24 I think there's a misstatement in that response. I do not recall a report being adopted in that meeting.

18:19:35 Okay.

18:19:32 It was not, as far as I know. Right. I think it's just a misstatement by the respondent.

18:19:36 Uh, may I clarify that before you mischaracterize my statements?

18:19:40 Please.

18:19:40 Okay. Well, I was gonna, ¨ I was gonna get, ¨ give you a chance, Mr. McGee, um, ¨

18:19:44 But I just want to kind of get, ¨

18:19:46 get the, uh, petitioner's take on this thing first.

18:19:50 So,

18:19:52 Again, so I guess what's, ¨

18:19:56 is that what were whatever infirmities were involved in June 9th, were they remedied?

18:20:02 Let's, ¨ let's set the misrepresentation issue aside, because I get, ¨ I get that that's a separate issue.

18:20:08 Um, just to, I guess, talking in terms of notice, in terms of talking about procedure,

18:20:14 Um, does all that get fixed at August 24th, or is there still a problem?

18:20:20 Uh,  
18:20:19 No, no, no, uh, there's a misreading, I think, or a misunderstanding of what's being stated in my brief.  
18:20:26 Oh, okay.  
18:20:27 The,Ä it was at the August 24th meeting that.  
18:20:31 Mr. Jacobs offered the opinion that the adoption of the SIC report at the June 9th meeting.  
18:20:39 Got it.  
18:20:41 Yes, that is correct.  
18:20:40 Oh, okay. Is that,Ä  
18:20:38 was, in fact, in order.  
18:20:43 Is that more accurate, Mr. Jacobs?  
18:20:47 That is,Ä that is correct.  
18:20:50 Um, the,Ä I opined that there was not a procedural infirmity with the notice.  
18:20:58 for the report itself. Though there were, for other motions,  
18:21:01 Those have been remedied.  
18:21:03 Okay, so you mean they're,Ä they're,Ä  
18:21:06 So Mr. Jacobs, just so I'm clear,  
18:21:08 You're saying there was not even an infirmity, at least procedurally,  
18:21:13 On June 9th, is that what I'm hearing?  
18:21:16 With the adoption of the report itself,  
18:21:19 I do not believe there was an infirmity.  
18:21:21 With the adoption of some other thing as it relates to notice.  
18:21:26 With the adoption of some other things, I believe there was,Ä  
18:21:30 Uh, a problem with notice, and those things were found later to be void.  
18:21:35 I also,Ä  
18:21:35 Wait, so those,Ä okay, but did,Ä so then, were the things that were void, did they,Ä  
18:21:41 Did they redo it on August 24th with sufficient notice, and that solved  
18:21:46 the problem, or is there still a problem?  
18:21:49 I didn't,Ä I don't believe anybody is questioning the notice on the 20,Ä on the August meeting.  
18:21:55 Alright. Does anybody else want to elaborate on,Ä  
18:21:59 that issue. I see Mr. Martin has his hand up.  
18:22:05 as somebody who had to try to make an informed decision at that meeting, I can tell you now, there was not enough time.  
18:22:11 When you,Ä will you just clarify which meeting, that meeting, are we talking about June 9th or August 24th?  
18:22:16 on the June 9th meeting of the adoption of the SIC report.  
18:22:20 Okay.  
18:22:21 We received the text of the report, and because I'm in Hawaii.  
18:22:24 No, I,Ä and I,Ä I'm,Ä I'm somewhat familiar with, um, how that June 9th meeting  
18:22:29 went down. So let me ask you this, then. Let's,Ä let's just assume  
18:22:34 that the June 9th report was problematic, or the procedure in adopting it and whatnot.  
18:22:40 Does all,Ä are you conceding that all that gets fixed?  
18:22:43 Aside from the misrepresentation, on August 24th, they say, oops, our bad,

18:22:48 you know, we're fixing this on August 24th.

18:22:53 No, sir. I think that the problems extend far beyond just a simple notice problem. We're looking at a disciplinary procedure masquerading as an opinion.

18:23:03 And it also invites a lot more consequences and problems that are beyond, in my opinion, some of the matters that they're, "Talking about here are really beyond their authority to," you know, attack in a disciplinary capacity, and that's exactly what they're doing.

18:23:19 Okay, now, you know, you're, "you're,"

18:23:20 Um, I,

18:23:22 Operating as an amicus, and in fact, maybe, I don't know, Mr. Roos, since you're the lead, "are you a co-petitioner, or are you an amicus, Mr. Martin?"

18:23:31 Both. Co-Petitioner.

18:23:33 Okay, so, Mr. Roos, I just, "I guess I want to tease out, do you take the same position as Mr. Martin?"

18:23:40 that there were,

18:23:44 Procedural infirmities, even.

18:23:46 After August 24th,

18:23:47 Yes.

18:23:48 Okay, so it sounds like,

18:23:51 Mr. Martin, Mr. Roos say there were procedural infirmities even after August 24th, but Mr. Jacobs does not agree with that. Am I,

18:23:58 If I may, "if I, "if I, "If I may clarify, I was speaking about procedural infirmities relating to notice only.

18:24:07 Right.

18:24:07 Okay, well, that's what I'm asking about.

18:24:10 infirmities. Right.

18:24:10 So, let's dig into, as of, "as,

18:24:15 After the LNC acts on August 24th,

18:24:18 What procedural infirmities, "again, let's leave misrepresentation aside, I think that's a separate

18:24:24 issue. That's more of a substantive rather than procedural issue.

18:24:28 what procedurally is still problematic after August 24th?

18:24:33 Well, that would be the, "that would be the procedural problem. There is a rule in Robert

18:24:39 about adopting a motion that violates the bylaws.

18:24:43 And that's covered that, um,

18:24:47 That's 23.6, "let me get to the citation, I think it's B, but I want to give it to you directly.

18:24:54 Um,

18:24:56 Let's see,

18:24:59 Yeah, it's, um,

18:25:02 Yeah, it's actually, "yeah, sorry. Um,

18:25:06 It's 23, uh, colon6a. Is it a motion that, uh, conflicts

18:25:12 Uh, a main motion that has been adopted that conflicts with the bylaws or Constitution.

18:25:17 of the organization or assembly.

18:25:19 So, the misrepresentation is kind of baked into that. Is that what I'm getting?

18:25:25 Yeah.

18:25:26 Alright, so,

18:25:28 So then, "so then,

18:25:27 Yeah. That is still a procedural issue.  
18:25:30 That's,  okay, you're making it procedural, even though I've been saying substantive, you're saying because  
18:25:35 the motion is,  has this misrepresentation contained in it.  
18:25:39 That's what makes it, um,   
18:25:42 violative of this 23 colon 6, conflicts with the bylaws of the organization or assembly. Okay.  
18:25:45 Yes. A.  
18:25:47 So, but then it sounds like, would you agree if, um,   
18:25:52 If we decide that,  well, say some of us decide that misrepresentation only applies to government action and does not apply to LNC action,  
18:26:00 Don't you lose?  
18:26:03 Uh, probably.  
18:26:05 Okay. Alright.  
18:26:06 But we would argue, though, that it,   
18:26:09 that the by-law  
18:26:11 Um, does apply to,   
18:26:15 all people in the Libertarian Party.  
18:26:19 Okay.  
18:26:21 All right, Mr. Chairman, I believe that's all I have. Thank you.  
18:26:25 If I may, I didn't elaborate on, or,   
18:26:26 Oh, let's let Mr. Roos and Mr. Martin, they had hands up, I'll let them elaborate.  
18:26:30 I wanted to clarify, uh, the difference between myself and Mr. Jacobs here on the issue of  
18:26:36 previous notice of the,  of the motion to adopt  
18:26:39 the SICK report. Essentially, uh, if we were only relying on Robert's rules, then Mr. Jacobs is actually,  is correct. I would,  I would say that he's on point regarding previous notice.  
18:26:52 However, there are some quirks regarding our own bylaws.  
18:26:58 But I believe set aside,  or produce,  create additional requirements.  
18:27:03 Uh, or, uh, or set us, uh, or complicate how to satisfy previous notice beyond what Mr. Jacobs is referring to.  
18:27:12 Uh, mainly that in order to, uh, that the rules specifically in the policy manual  
18:27:20 Uh, which is, uh, again, let me guide you. Roberts requires, if it's an original main motion,  
18:27:27 that, um, to say if your rules require previous notice, that you must follow it.  
18:27:31 So, you go back to our policy manual, and then there's a,  there was a requirement for previous notice.  
18:27:36 Which was either to, uh, which was the 1.012, which are, uh, 1,   
18:27:43 0.02, .1.  
18:27:44 Uh, pardon me, and effectively, the way the LNC had noticed the report itself,  
18:27:52 was they simply added in the report  
18:27:55 8 days before into the,  into the meeting minutes of that,  of that night, that Sunday,  
18:28:02 Uh, that, uh, that they were going to have it,  have this report

18:28:07 read, at some point, heard and adopted by the LNC would be,Ä¶ not,Ä¶ there was no motion, there was just say, we'll be bringing it up at some point.

18:28:14 And it's dated in April. So, this is June.

18:28:18 Alright? So, uh, so the guy,Ä¶ the policy manual simply requires it to be a purport of what the motion will be.

18:28:26 I don't think that tech satisfies that, uh, under, uh, under, uh, our guide,Ä¶ our ethic, ethical code, frankly.

18:28:34 But, uh, in regards to previous notice,

18:28:37 Uh, it then says,Ä¶ it says, then, uh, that,Ä¶

18:28:40 it has to be purported immediately before that session that,Ä¶ where it's going to be held, which would,Ä¶

18:28:47 which was going to be a special session 8 days later.

18:28:50 Now, in the intermediary, we have

18:28:53 we have this email ballot, we have this business list that is provided by our bylaws, which overrides Honner.

18:29:00 And this is where it gets,Ä¶

18:29:03 this is where it gets a little complicated,

18:29:05 And this is where we're at in the appeal, we asked the JC to consider

18:29:10 that if this is,Ä¶ if the business list is a new session between

18:29:14 Uh, that meeting where it's purported,

18:29:17 And the special meeting where it's adopted,

18:29:19 then which is actually the next session? Is it,Ä¶

18:29:22 Is it the business list, or is it that next

18:29:25 That's,Ä¶ that next special meeting.

18:29:27 If it's the next special,Ä¶ if it's the business list,

18:29:30 then they should have held the motion to adopt,

18:29:35 Uh, the SIC report on the business list itself.

18:29:37 If they,Ä¶ if it's, uh, otherwise, uh, so you can see that if you don't interpret it that way,Ä¶

18:29:45 Well, then what occurred?

18:29:46 will naturally happen again, which is,Ä¶

18:29:49 then you can wait the whole 7 days,

18:29:52 Wait 24 hours to give the entire complete text of the motion,

18:29:56 And then poor Mr. Austin Martin here will have, uh, given,Ä¶ be given 14 hours

18:30:02 Uh, while in the middle of the night to,Ä¶ to read, uh, to read 100 pages, 18,000 words,

18:30:09 And give thorough, uh, thorough understanding of it.

18:30:13 Uh, that's,Ä¶ that will,Ä¶ that kind of surprise is what will happen again and again and again, and I believe that the HJC can,Ä¶

18:30:21 has an opportunity here to rule on what,Ä¶ on this,Ä¶ on whether previous notice was satisfied in that manner.

18:30:28 I believe it was not.

18:30:29 Mr. Riz, let me just interject there. So, you're saying that

18:30:34 Was Mr. Martin,Ä¶ did he participate in the June 9th meeting? I think he did.

18:30:39 Okay, did he participate in the August 24th meeting?

18:30:38 Yes.

18:30:43 So, so Mr. Roos, are you saying that Mr. Martin

18:30:47 Still had inadequate notice.

18:30:50 at the August 24th meeting?

18:30:52 On the June 9th meeting.

18:30:53 Okay, but what about the August 24th meeting? Was he still,Ä¶  
18:30:56 I think it,Ä¶ they didn't,Ä¶  
18:30:57 Operating under,Ä¶ he didn't know what was going on?  
18:31:00 Uh, they,Ä¶ that was only in respect to the,Ä¶ they only heard  
these motions, right, for,  
18:31:06 the new resolutions.  
18:31:08 Uh, that were adopted based on the SIC report.  
18:31:12 Not the SIC report itself.  
18:31:14 Okay, I'll put it to you, Mr. Martin. Were you,Ä¶  
18:31:17 uninformed as of August 24th,  
18:31:21 As to what the LNC was going to do with the SIC report?  
18:31:26 Respectfully, sir, the SIC report was already passed on that  
day, and it was not up for consideration on August 24th.  
18:31:34 Okay, but there were motions that,Ä¶ that,Ä¶  
18:31:37 I guess, flowed from that report, or recommendations, right?  
18:31:40 That's correct. The reason that those motions came up at all is  
because we made a JC appeal challenging those motions.  
18:31:49 Okay, but answer my question. August 24th, are you still,Ä¶  
18:31:48 for lack of notice.  
18:31:54 confused, and you don't have adequate notice as to what's coming  
your way?  
18:31:58 August 24th, in terms of censure and doing those motions, or,Ä¶?  
18:31:58 That's,Ä¶ I believe that mischaracterizes the situation. That's  
not actually what's being said by the parties. We're saying that on June  
9th, which was when the.  
18:32:09 Okay, well, that's what I'm asking you.  
18:32:19 Okay, well, help, help us, help us understand.  
18:32:12 But, sir, it's kind of an absurd question, because, frankly,  
that's not what's being claimed. No offense, I don't mean that in any  
disrespectful way, I just mean nobody,Ä¶ So, the notice issue that we're  
talking about has to be distinguished from the opportune motions which  
were cured later. The report.  
18:32:29 the notice defect on the report was never cured.  
18:32:32 It was never declared void. So the SIC report is still intact  
from its original June 6th, or June 9th, uh, adoption date.  
18:32:41 That's the date in which I did not have time to respond.  
18:32:45 Let's say, for the sake of argument, that's true. Where are you  
at on August 24th?  
18:32:44 I read the report within the time frame.  
18:32:51 How are you still,Ä¶  
18:32:53 you know, what's going on?  
18:32:50 On August 24th. On August 24th.  
18:32:55 After the,Ä¶ after this has already been passed, and we've been  
fighting, and we've had a JC appeal.  
18:33:00 And we've been going around and just getting absolutely kicked  
around publicly by the rest of the LNC for asking basic fiduciary  
questions.  
18:33:08 At that point, I know very well what's going on, and it's very  
clear to me that the fix was in.  
18:33:14 So, it wasn't a matter of notice as far as, like, not knowing  
what's going on by August 24th. By then, it was, hey, we have these  
substantive issues that are being totally ignored, and they're like.

18:33:24 oh, hey, we noticed that you guys might have a point in your JC appeal, let's just preemptively void these, and we'll cure the notice issues, and we'll steamroll it through anyway.

18:33:32 On August 24th, meaningful discussion was still not engaged in on the merits, because we couldn't address the underlying issue, which was the report on which these motions were based.

18:33:43 And because they were not being considered at the same time, there was no way to effectively argue the actual facts. We had to deal with what's been done.

18:33:51 So, there's two different dates of concern here. The June 9th is when the report was passed, August 24th is the new cure date for the motions that were derivative from that report.

18:34:05 Okay, well, let me, ¶ let me thank you, Mr. Martin. Let me just jump to Mr. Jacobs. So, ¶

18:34:01 And those are two separate issues with their own procedural characters, right? So the character, ¶

18:34:10 Because if this report is rushed,

18:34:13 And, uh, you know, adopted,

18:34:16 Again, this statement about you saying that

18:34:20 the adoption of the port was in order, if imprudent,

18:34:23 Um, is the LNC required?

18:34:27 to give members like Mr. Martin

18:34:30 Um, sufficient time to, ¶

18:34:35 for lack of a better word, I guess, analyze, understand that report.

18:34:40 Required? No.

18:34:42 Should they do it in all probability, and that they should, but as I said, improved.

18:34:47 It's a nice, ¶ it's a nice-to-have, it's not a must-have.

18:34:50 It's not a, ¶ it is not an absolute requirement.

18:34:53 Okay. All right. Um, Mr. Martin, you have your hand up.

18:34:58 I respectfully just disagree with the concept that notice is optional, and I don't mean to overrule my colleagues on this.

18:35:05 Respectfully, the point of notice is to be able to make informed decisions. Notices.

18:35:11 You know, notice opportunity to respond is the soul of due process.

18:35:15 And this, too, comes down to the heart of who we are as the Libertarian Party.

18:35:19 When we give notice, it's not just a mere formality. This is something on which our decision-making hinges. I was able to independently verify, even in a relatively short time.

18:35:30 that there are many elements of the report which were questionable. If they delayed a month, we could have made changes without risking this huge, crazy fight that we've had.

18:35:39 just if they've just been willing to entertain reasonable questions.

18:35:44 Okay, but Mr. Martin?

18:35:43 But they didn't. And, ¶ My job as a director is to, ¶

18:35:46 I wonder if you're confusing, ¶ you say there was insufficient notice because you didn't get to participate.

18:35:53 I noticed, ¶ so, and I shouldn't have said notice, um, there isn't there a difference between notice and an opportunity to be heard?

18:36:01 Certainly, and I only mention that because those are, I think, Black's Law's definition of.

18:36:08 Process.

18:36:08 what constitutes the process, yes. And I didn't mean that in a sense of, I'm just trying to raise that as a singular. I do think there's a procedural infirmity in how Mr. Chatterton and I were treated.

18:36:18 Um, and this happened over a span of many meetings, starting at the June 9th meeting, especially, that was where it really kicked off, and the pattern of retaliation from there is clear, but.

18:36:27 That aside, on the,Ä¶ on just a strictly procedural grounds.

18:36:32 the spirit and point of notice is to be able to allow us to do our jobs.

18:36:37 And our job is not to be a rubber stamper and just say yes to whatever they put before us, but to intelligently and critically read it and evaluate whether or not this information.

18:36:46 could hurt us. I think there was a better way to handle a lot of this stuff, and I think if we'd had a more open spirit of cooperation and a willingness to entertain opposing viewpoints.

18:36:56 it would have been okay, and we would have figured out a way through, but that was the whole problem, was that there was no room for any dissenting opinions. If you even ask.

18:37:06 You're defending an embezzler, you might as well be, like, in,Ä¶ in bed with Satan.

18:37:12 Okay.

18:37:11 And that's how we've been treated, just for asking basic, reasonable questions. Now, the notice is a problem.

18:37:16 Okay. Sorry to cut you off, I just,Ä¶ I,Ä¶ I want to move along, and um,Ä¶

18:37:21 I appreciate your take here, but I just,Ä¶ I wanted,Ä¶

18:37:24 steer clear of some filibustering. Maybe there will be an opportunity, uh,

18:37:28 save your remarks for either subsequent questions or,Ä¶

18:37:32 We're, uh, closing arguments, I guess. Um,Ä¶

18:37:35 Let me,Ä¶ let me clarify something, and Mr. Roos, I'll start with you. Was this SIC report adopted on the June 9th meeting, or the August 24th meeting?

18:37:44 The June 9th meeting.

18:37:46 The June 9th meeting. Okay, um, I'm gonna kick it over to Mr. McGee. Do you agree with that, that the SIC report was adopted on,Ä¶

18:37:54 the June 9th meeting and not the August 24th meeting?

18:37:59 All right. Um,Ä¶

18:38:02 And then,Ä¶ I feel like Mr. J,Ä¶

18:38:05 Mr. McGee, I want to, um,Ä¶ I think you helped me clarify the statement in the LNC's brief.

18:38:12 on what Mr. Jacobs was talking about, it was actually the June 9th meeting that he said,

18:38:17 when the report was adopted was in order,

18:38:21 Um, was there anything, I guess, that came up in my, um, discussions with

18:38:27 the petitioners that you felt like you needed to

18:38:30 address.

18:38:34 Um, other than,Ä¶

18:38:40 the very subjective characterization? See? No.

18:38:43 Oh, you spoke a little quick there for my ears. Could you,Ä¶  
other than the very subjective what?  
18:38:49 characterizations of the SIC report, which I suppose is.  
18:38:53 something we're not going to resolve here, and so I don't want  
to waste any further time with it.  
18:38:57 Okay, fair enough. All right.  
18:38:59 Now, Mr. Chairman, I think that's all I have. Thank you.  
18:39:05 I just wanted to,Ä¶  
18:39:02 Oh, Mr. Roos has, um, maybe something he wants to add before my  
own finish.  
18:39:07 I just wanted to point out in,Ä¶ obviously, this advisory, it's  
not, uh, um,Ä¶  
18:39:13 In the Robeson decision earlier this year,  
18:39:16 Uh, this, uh, the JC did decide that the electronic email list,  
mailing,Ä¶ for mailing ballots was considered a separate session.  
18:39:25 And I'm quoting from the,Ä¶ I'm quoting from the decision in the  
chat, we here thereby determine  
18:39:30 that the word session in sections 14 and 15 of Article 7 of the  
Party Bylaws  
18:39:35 Therefore, include doing business by electronic mail balloting.  
18:39:38 Thank you.  
18:39:38 So, Mr. Roos, let me follow up on that, then. Who's,Ä¶  
18:39:42 I don't know who just chatted there.  
18:39:44 Oh, you want to say something, JJ? Okay.  
18:39:47 Yeah, if that is the case,Ä¶  
18:39:47 Well, Ms, let me ask this to Mr. Roos, though. Are you claiming  
that because  
18:39:53 So it sounds like,Ä¶  
18:39:55 you know, things happen 1, 2, 3,  
18:39:58 Because notice was done 1, then there was an interim, I guess,  
session, for lack of a better word. Then there was a third session,  
18:40:06 Are people prejudiced by that? They're like, oh, we thought it  
was gonna come up in the second session, and it came up in the third, so  
we're confused, and we don't know what's going on. Is that your claim?  
18:40:15 Uh, there was no timing set in the purport, first of all.  
18:40:19 Uh, second, notice violations, uh, always lead to any action  
based on them to be void.  
18:40:25 Period.  
18:40:27 So you're saying it's a notice violation if notice was given at  
Stage 1, there's an interim  
18:40:32 second session, and,Ä¶ but the matter's actually not taken up  
until Stage 3.  
18:40:37 Right. Uh,Ä¶  
18:40:38 It expires, is what you're saying.  
18:40:41 Correct. Lotus always expires. Okay.  
18:40:43 Okay, is that Mr. Jacobs, did you want to,Ä¶  
18:40:46 speak more correctly.  
18:40:47 Yes, yes. First of all, the policy manual at the time referred  
to the previous session.  
18:40:54 So, the previous session would be the one that happened  
immediately before that special meeting.  
18:40:59 Now, I have to take a look at the Robson decision again.  
18:41:04 But if that is considered to be a separate session,  
18:41:08 It would have had to,Ä¶ he would have had to have given notice

18:41:11 in that session.  
18:41:15 Okay. All right.  
18:41:17 Well, okay, I hope I'm done third time's the charm, Mr. Chairman.  
18:41:23 Thank you, Mr. Latham. We will now move to closing arguments, 5 minutes each.  
18:41:28 Mr. Chair, Mr. Chair, my request a brief. Suspension of the rules to ask a yes or no question. I'm not sure about,Ä something that was raised by Mr. Latham. I'd like to just ask a,Ä  
18:41:40 A very quick yes or no question.  
18:41:41 Uh, we're not suspending any rules or taking any motions in this hearing. We're going to proceed to closing arguments.  
18:41:49 So,Ä  
18:41:58 I support the ruling of the chair. I support the ruling of the chair. Let's move on.  
18:41:52 I would, uh,Ä I just wanted to ask, was the, uh,Ä Was the SIC,Ä  
18:42:04 We will move to closing arguments. Appellants have 5 minutes.  
18:42:16 Oh, okay. Um, well, I didn't intend,Ä I didn't intend to do a closing argument. Um,Ä  
18:42:23 But, um, I think that one of the things here that we have discussed very clearly has been  
18:42:30 the idea of misrepresentation.  
18:42:33 And that,Ä  
18:42:36 would apply clearly.  
18:42:38 to all parties.  
18:42:42 Do all party organs and all party members.  
18:42:45 The bylaws do not say, oh, well, this just,Ä  
18:42:49 This applies to,Ä  
18:42:50 Um,Ä governance.  
18:42:52 In fact, if it just applied to governments, you wouldn't need it in your bylaws.  
18:42:56 under the principle that the bylaws do not,Ä  
18:42:59 Do not include any,Ä anything,Ä  
18:43:01 that has been put into the bylaws have a purpose.  
18:43:04 So that would be something that I would have to reject.  
18:43:08 Uh, based on,Ä based on the idea for that. They're in the bylaws for a reason.  
18:43:14 Mr. Roos?  
18:43:16 So, uh, thank you, uh,Ä  
18:43:19 Mr. Jacobs, the sick report that was adopted, and the only time it was adopted in June 9th,  
18:43:26 Uh, and I hope that answered Mr. Tarnoff's question, is,Ä  
18:43:30 is the,Ä is the central theme here. This was, uh, my, uh, my conjecture is that this,Ä  
18:43:37 that there's a,Ä there's a strong, uh,Ä  
18:43:41 a strong sense and tradition that we treat the email,Ä the electronic mailing list, or mail,Ä uh, voting list, or ballot,  
18:43:48 lists for mail ballots, however you'd like to call it, as a separate session.  
18:43:51 I would start there that the, you know, if you're looking at the Robson decision,  
18:43:55 you know, for us, guidance, if not, uh, if not precedence.

18:43:59 that the,Ä that there was a,Ä a misstep of notice for it, and that should be void ab initio.

18:44:07 Uh, from the start, and that we should,Ä that's the easiest way to tackle the situation, rather than,Ä

18:44:13 Uh, and while I very much appreciate the almost 4 hours that we've been here talking about this,

18:44:19 And airing this out, I believe, in some cases, there's been more substantive dialogue regarding the SIC report

18:44:24 Uh, then has been pro- then, in many cases, the LNC has provided.

18:44:29 Uh, save for some frustration from other LNC members.

18:44:32 the point is, is, uh, if, as I said before, this is a,Ä this is a big elephant to,Ä

18:44:38 to, uh, to chew on. Um, and the way you do it is, one bite at a time,

18:44:43 And really, if you,Ä if we're gonna call it a duck-a-duck, then it's gonna be clear that it's, uh,

18:44:49 If you're gonna find misrepresentation, just find it and move on, and it doesn't even need to be,Ä

18:44:55 Obviously, it'd be substantive, whether it's the independence issue that they define themselves, or some of the factual issues that are presented.

18:45:05 the standard of behavior that

18:45:06 Uh, that the, uh, that the SIC report conducted itself on,

18:45:11 and was adopted by the LNC as an action, it should be reviewed. We deserve, as members, better prac- of better practice.

18:45:20 Uh, for these types of investigate,Ä special investigative committees that apparently are going to become more common as the LNC becomes more successful and continues to be

18:45:29 incorporated under DC law, that these are things that are gonna come up.

18:45:33 Uh, because we're gonna attract more lawsuits.

18:45:36 That's it. Uh, and the behavior of them trying to create a disciplinary process

18:45:42 to someone who was not even on their committee anymore, I think is problematic as well.

18:45:47 I think, uh, we're,Ä as I started at the beginning, I think we're,Ä we're,Ä

18:45:52 the objective here is,Ä

18:45:54 The LNC can't figure itself out about who, what, where, uh, who's gonna do what reform to this thing.

18:45:59 So, the JC has been left as the backstop here for a governance paralysis.

18:46:05 Uh, and I just want,Ä I,Ä I,Ä

18:46:07 I very much want you guys to understand, uh, what position

18:46:12 We and the LNC have put entrusted to this committee.

18:46:16 Uh, and I appreciate all your time today.

18:46:20 Uh, I think it's very clear that there are some factual issues, and uh,Ä and the most intriguing part of this entire process has been seeing the respondents

18:46:28 come back and say, well, we're not,Ä we're not bound by this standard, we're not bound by the statement of principles.

18:46:34 And that's caused other conversations regarding the membership pledge, too.

18:46:38 Which I,Ä¶ like, as I've heard from Mr. Seabek, is very,Ä¶ is very important.

18:46:44 Because we're not supposed to be like the other political party duopolies.

18:46:48 Uh, that's what sets us apart, that's what makes us different, uh, and that's what keeps the, uh,

18:46:53 The boot off our neck, so to speak.

18:46:55 Uh, because we are acting with these set of principles publicly, and everyone knows it.

18:47:01 Uh, so I,Ä¶ I appreciate, again, your, uh, your time tonight.

18:47:06 Uh, and if,Ä¶ if you, uh, if there's still any further questions, uh,

18:47:11 I hope we've done our best in order to

18:47:14 comprehensively answer them.

18:47:15 Uh, and provide all the documentation that you, uh, that you needed. I know there's a number of things that have been sent in to you sealed under cover.

18:47:24 I, um, I don't necessarily agree with that any of that should be sealed. I think the membership deserves the right to see

18:47:30 Uh, to see how the sausage is being made.

18:47:33 Uh, but I have not seen any of that.

18:47:35 I've just been told it's been filed.

18:47:37 And I think, uh,Ä¶

18:47:39 But,Ä¶ and I appreciate, again, your efforts tonight.

18:47:45 Uh, thank you, thank you, Mr. Roos. Mr. McGee.

18:47:49 Thank you. The petitioners allege that the adoption of the SIC report violated Article 3 of the bylaws.

18:48:00 Our statement of principles, by way of misrepresentation. Article 3 is and must remain a philosophical guidepost rather than a procedural cudgel.

18:48:07 The party's governing documents do not and should not oppose a strict liability standard whereby every factual error.

18:48:13 However, trivial or unintentional is equated with actionable misrepresentation.

18:48:17 To do so would render all committee work perpetually vulnerable to reversal on the most minor technical grounds.

18:48:23 Paralyzing the party's ability to govern and reform as circumstances demand.

18:48:27 In presenting their case, petitioners rely on a selective and often inaccurate reading of both the facts and the government documents.

18:48:33 They conflate minor, not-material errors with deliberate misrepresentation, and they assert procedural defects where none exist.

18:48:40 The LNC acknowledges that no process is without flaw. Indeed.

18:48:44 Faith errors are an inevitable part of any complex organizational undertaking. However.

18:48:49 Such errors were neither intentional nor material to the outcome of the SSC's investigation.

18:48:54 or the NC's subsequent actions discussed otherwise is to disregard both the facts and the standards of reasonableness that should govern our deliberations.

18:49:02 to retroactively nullify the SIC report and related resolutions on the basis of unintentional or inconsequential errors would undermine not only the specific reforms at issue, but also the willingness of future leaders to attempt to pursue needed reforms in the future.

18:49:14 The LNC urges the committee to re,Ä¶ to recognize the integrity of the process and the good faith of those who participated in it.

18:49:21 Granting the release sought by the petitioners would set a dangerous precedent. Such a standard would render nearly all committee work vulnerable to endless appeal and reversal.

18:49:28 Discouraging initiative and paralyzing the party at moments when decisive action is needed.

18:49:33 The work of governments depends on the ability of members to serve, deliberate, and act in good faith.

18:49:37 Learning and adapting as circumstances require. To demand perfection, or to treat every error as a fatal defect, is neither realistic nor just.

18:49:44 The committee must consider the far-reaching implications of ruling.

18:49:47 of a ruling that would allow every unintended factual error to form the basis for overturning duly adopted reforms.

18:49:53 Such a precedent would not only undo necessary improvements, but would chill future efforts at reform and self-correction.

18:49:59 To reiterate, the petitioners have also requested that the SIC report be voided and remanded to the LNC.

18:50:05 If the request is,Ä¶ if the request,Ä¶ if this request is a good faith attempt to correct any errors.

18:50:10 There is no need for the Judicial Committee to grant this request.

18:50:13 A mechanism already exists to make changes or corrections to an adopted report, that is, to mending something previously adopted.

18:50:19 Since the adoption of the SIC report nearly 5 months ago, the LNC has spent.

18:50:27 Several time, over the several meetings, discussing the SSA's substantive amendment been offerred to the SIC report.

18:50:34 In closing, the Libertarian National Committee respectfully asserts that its actions, including creation, investigation, and adoption of the Special Investigatory Committee report.

18:50:42 We're wholly consistent with the explicit language of the bylaws.

18:50:45 fully compliant with all notice requirements, and in no way a violation of Article 3 of the bylaws.

18:50:51 The process was deliberate, principled, and conducted within the scope of the authority granted by our governing documents.

18:50:57 Any errors were unintentional and do not rise to the level of material misrepresentation.

18:51:01 The LNC asked the Judicial Committee to affirm the validity of its decision.

18:51:05 And to recognize the integrity of the process. And to uphold the standard that honors both the principles of liberty and the practical realities.

18:51:13 of self-governments. For these reasons, we respectfully urge the committee to deny the relief requested by the petitioners.

18:51:19 Thank you for your time and attention to this matter. Thank you.

18:51:25 Thank you, Mr. McGee. Uh, that brings us to adjournment of this hearing. It is,Ä¶

18:51:31 For the record, 651 Central Daylight Time.

18:51:36 Thank you all for,Ä¶

18:51:38 attending and considering the fact this is almost 4 hours of time enduring this hearing.

18:51:45 And the JC will now retire to our deliberations. Two of our members will have to view the video separately before we come to a decision.

18:51:55 Stay tuned. Thank you all. Have a good evening.

18:51:57 Thank you all. Thank you.

18:51:59 Thank you for your time today. Thank you. Thank you for picking up.