

# **Libertarian National Judicial Committee**

**Petitioner: Jonathan M. Jacobs**

**vs.**

**Respondent: Libertarian National Committee**

**RE: JUDICIAL COMMITTEE APPEAL TO VOID CERTAIN  
RESOLUTIONS ADOPTED AT THE JUNE 9, 2025 SPECIAL MEETING  
OF THE LIBERTARIAN NATIONAL COMMITTEE**

**Petitioner Response to LNC Response of August 8, 2025**

**August 9, 2025**

**Response to Part 1**

The petitioner has no disagreement with several of the claims of the LNC, though Jonathan McGee, makes. The meeting was properly called. Proper notice for consideration of the report was given. The meeting was quorate. Both of these resolutions were original main motions.

We both seem to agree that RONR requires notice for special meetings. The LNC, however, tries to hand-wave this requirement from Section 1.02.1: "Previous notice is not required unless specified by the Party Bylaws or its parliamentary authority, though vote thresholds may change based upon whether or not notice was given."

Further Section 1.08 also states "8. Electronic meetings are special meetings such that only the topics listed in the call of the meeting may be considered during the meeting... ." This was, by definition, a special meeting. Further, what notice existed, referred to this meeting as a special meeting<sup>1,2</sup>.

The Bylaws (Article 16) provide that the current edition (12<sup>th</sup>) of RONR is that parliamentary authority. RONR provides, "Notice of the time, place, and purpose of the meeting, clearly and specifically describing the subject matter of the motions or items of business to be brought up, must be sent to all members a reasonable number of days in advance (9:13)." Notice is specifically required and this is what Section 1.02.1 refers to when it says, "specified by the Party Bylaws or its parliamentary authority."

As noted, the requirement is for notice and the type of notice is specified in Section 1.02.1. This would be:

1. Announcing this intention at the previous session in the presence of a quorum, providing an accurate and complete statement of purport, with such notice to be taken note of in the minutes; or
2. Sending the complete language of the motion to the entire LNC by e-mail at least five (5) days prior to the session.

Was the “complete language of the motion,” either of these two resolutions, sent to the LNC, five days in advance? No. Was there an “accurate and complete statement of purport,” given at the previous session? No. The notice, given five days in advance was “Adoption of Motions Appurtenant to Special Investigatory Committee Report.” That is not sufficient notice “specified by the Party Bylaws or its parliamentary authority.”

We can play a bit of “what if,” and pretend that the LNC is correct and only the notice requirements in RONR apply. That standard is that the notice must “clearly and specifically describing the subject matter of the motions or items of business to be brought up.” That certainly does not require that the motion be sent out verbatim in the notice.

Does “Adoption of Motions Appurtenant to Special Investigatory Committee Report,” meet the standard of “clearly and specifically describing the subject matter of the motions or items of business to be brought up?” There is nothing in this notice relating to “recovery of funds,” or to “deem” someone “unfit.” It does not mention anything relating to any individual.

Even if we were it just use the standard in RONR, a lesser requirement, notice is still not adequate. In short, even by using the incorrect standard the LNC suggested, one not nearly as stringent, notice is still insufficient and the adoption void<sup>3</sup>.

A prior Libertarian Party Judicial Committee weighed in on the importance of notice in *McVay vs. Hinds vs. LNC*<sup>4</sup>. The majority said:

“Notice is a communication intended to be received by members, informing them about the range of options to be considered, and thus impacting the members’ decisions whether to exercise their fundamental right to attend meetings to either support or oppose proposed actions.”

And continued:

“A requirement for previous notice of a bylaw amendment is a rule protecting absentees (RONR 25:10). RONR 23:9 provides that a finding of an RONR 23:6(e) violation means the action must be declared null and void.”

While *McVay* referred to a bylaw amendment, it does show the requirement for notice. This precedent may not be binding on the current Judicial Committee, but it is certainly persuasive.

## Response to Part 2

The LNC representative wrote, “If the LNC understands that it can’t even bind the actions of the Bylaws Committee, it would be risible to suggest that the LNC thinks that it can bind the future actions of delegates, affiliates, candidates, and the LNC itself.” If the LNC had actually adopted language to that effect and put it in Resolution 1, we would probably not be here. However, they did not do so.

RONR defines what a proper main motion is, stating: “If a main motion is adopted, it becomes the officially recorded statement of an action taken by the assembly. A motion should therefore be worded in a concise, unambiguous, and complete form appropriate to such a purpose (10:9).” Resolution 1 may have context, but what is actually binding is the text. The LNC “deems” something. That use of the word “deems,” in American English, and as a prior Judicial Committee has noted, creates a mandatory requirement.

The LNC has put forward the claim that a clause in Resolution 1 changes the context of the word “deems.” That clause refers to recommending a course of action to Bylaws Committee “...that would codify the handling of members found to have engaged in financial malfeasance and/or other egregious actions.” The respondent did not get the impression that this referred only to prohibiting someone from serving on the LNC or in an office in an affiliate. His impression was that this would refer to actual removal from the Party. This was reinforced because of public conversation he had with one of the LNC members, Ms. Harlos, in October 2022<sup>5</sup>. There was a discussion of how, hypothetically, someone would be removed from Party membership.

The respondent wrote, “When properly evaluated in context, Resolution 1 is clearly a motion that merely expresses a very negative opinion of Ms. McArdle’s conduct, and that’s all.” This motion, however, does not “clearly” say that. In fact, after nine pages, the respondent could not say, in so many words, that the LNC lacks the ability to prohibit Ms. McArdle from serving on the LNC. This is misrepresentation, something for which the Statement of Principles of the Libertarian Party calls for a “prohibition.”

The LNC can clearly adopt a motion expressing a very negative opinion of Ms. McArdle. That motion, however, cannot mislead people into believing she is banned from certain activities. Resolution 1 does that.

The respondent for the LNC claimed that “However, the burden of proof is on the appellants to show that the LNC committed an actual violation of the Party Bylaws.” That burden of proof does not exist, though the respondent does feel that this burden was met.

### End Notes

<sup>1</sup> Exhibit 2

<sup>2</sup> Exhibit 3

<sup>3</sup> Note that, if the motion is otherwise in order, it could be ratified before voiding or renewed and freshly adopted (RONR 9:15; 38:2 2)). Additional notice would be required. The petitioner asserts that Resolution 1 is not otherwise in order.

<sup>4</sup> Exhibit 11

<sup>5</sup> Exhibit 12 National Parliamentarian, "The Special 'Special Meeting,'" Spring 2023 pp. 9-11

This cites the conversation, which was broadcast live on Youtube, on or about 11/13/22 and posted on Youtube on 11/18/22. Note that Mr. Seeback of the Judicial Committee was also a participant. Please keep in mind that the conversation was about hypothetical removal from membership.

The actual recording of this conversation (accessed on 8/9/25, 8:00 AM. Eastern) is here:  
<https://www.youtube.com/watch?v=pMxNY4wPfTA&t=3476s>

Note: This exchange occurs within the first 39 minutes.