

# **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 Caryn Ann Harlos' Amicus Brief of  
8/13/25**

**August 14, 2025**

Ms. Harlos illustrated, in her filing, the problem with Resolution 1. She claims that she can know the minds of the people voting in the affirmative. She claimed that "I can affirm that I, and every person I spoke to that also voted in the affirmative, absolutely understood this to be the LNC's opinion at that time and not binding. There was an executive session at that meeting, but I cannot disclose whether this was or was not discussed."

Ms. Harlos may know more, because she was there, but the people affected by this were not there. The motion purports to "deem" Ms. McArdle "unfit" to hold an LNC position, affecting the will of perhaps 1000 delegates, and 51 state chairs. The motion purports to "deem" Ms. McArdle "unfit" to hold an "affiliate leader," affecting the will of Libertarians attending state meetings, perhaps another thousand Libertarians who vote at these state and possibly more local meetings. She may know, but these people do not know what the intent was. This is not just three people, but literally thousands.

These thousands of members could possibly determine intent, if there were recorded debate. There was none. They must rely on the text of Resolution 1 and the SIC Report, which recommends, "that the LNC adopt a resolution finding Angela McArdle unfit to serve as an officer of the Libertarian Party in the future." Note here that this is a "finding," not an opinion. It may be analogous to a finding of guilt after a trial.

Ms. Harlos' response is, effectively, the Libertarian version of, "Trust us; we're the government." This was a small, elite, group of members acting behind closed doors<sup>1</sup>. The current members that support the resolution, so far, cannot say that a resolution to "deem" someone "unfit," is "not binding." If it is truly "not binding," why does the current LNC not say

so? Ms. Harlos is not in a position to answer currently. When she was, she tried to rush Resolution 1 through with no public debate.

There is a problem with Ms. Harlos' "Reasonable Man" claim.

It is worth repeating that the Libertarian National Committee is a body that may interpret the Bylaws of the Libertarian Party, though it is not the final word; that is a "quasi-judicial" function of the LNC. This was actually seen in the 2021 removal of Ms. Harlos as Secretary, where the LNC (wrongly, in the opinion of the petitioner) determined that the Bylaws did not require a trial to remove an officer. There was never a question, even in that case, of if the LNC could initially interpret the Bylaws, only if that interpretation was correct<sup>2</sup>.

A reasonable man, or a reasonable member, would know that the LNC may interpret the Bylaws and could, in theory, determine "fitness." A determination that someone is "unfit" may extend beyond the end of a term of office, as we saw in the second impeachment of Donald Trump, may take place after the subject leaves office. A disciplinary action, even under RONR, could impact the eligibility to hold office in the future, making someone ineligible<sup>3</sup>.

In short, a member looking at this motion, seeing that the LNC "deems" Ms. McArdle "unfit to serve on the Libertarian National Committee, as an affiliate leader or as a candidate representing the Libertarian Party," can easily see a motion that prohibits Ms. McArdle from holding office.

Ms. Harlos, however, raises another issue; that is that Resolution 1 is some type of disciplinary action. She drew this parallel not on her filing, but in debate on an appeal of the motion during the June 9 meeting. She said:

"I'll note that the some of the same people, because there are different people, had no problem with me not seeing the motions that were made in the investigatory report against me and they voted for it no problem no appeals. So this is our past custom that when there's an investigatory committee report that the motions that are directly related to it and this motion is actually literally recommended in the report is absolutely in order."<sup>4</sup>

As noted, her claim was wrong, but it was still part of the scant debate on Resolution 1.

With this Ms. Harlos drags the members into the realm of disciplinary action. While debating the appeal, she calls it an "opinion," but Resolution 1 does not use the word. It notes that the SIC "finds" a conclusion and that the LNC "deems Angela McArdle unfit to serve." In this case, this can certainly look to the reasonable member to be disciplinary action.

Perhaps the Wiktionary definition should be included, as Ms. Harlos only included the fourth definition of the word "deem." Here are the first three: "To judge, to pass judgement," "To adjudge, to decree," and "To dispense (justice), to administer (law)."<sup>5</sup> Certainly, these definitions are consistent with the results of disciplinary action.

Ms. Harlos does not speak for the LNC, for which the LNC might be breathing a collective sigh of relief. However, the LNC is not clearly speaking for itself. It adopted a motion that "deems" someone "unfit," like a disciplinary action, but it will not if it has the ability to do so.

Ms. Harlos concluded that: "Because LNC and the membership are aware that Party

resolutions are the province of the delegates assembled in convention as they are binding – LNC Resolutions are not.” A resolution to charge an officer is binding and it may be adopted by the LNC. A member may look at that and easily conclude that this one is also binding, even as disciplinary.

Again the petitioner requests Resolution 1 be declared null and void as it can reasonably appear to establish new requirements to elect eligible candidates to national Party office in violation of Articles 6.1 and 7.4 and that it can reasonably appear to prohibit the election of eligible candidate to affiliate office, in violation of Article 5.5.

#### End notes

<sup>1</sup> This does not suggest that the action should have been taken in open session, only that, obviously, most delegates cannot have access to debate.

<sup>2</sup> This is listed in an amicus filing in Kosin vs. LNC in full. The petitioner will only note the similarity with the immediate case and the irony of the subject. [https://mywikis-wiki-media.s3.us-central-1.amazonaws.com/lpedia/Robson\\_amicus\\_Kosin.pdf](https://mywikis-wiki-media.s3.us-central-1.amazonaws.com/lpedia/Robson_amicus_Kosin.pdf)

<sup>3</sup> [https://issuu.com/parliamentarians/docs/nap\\_np86-1-wwwfinal](https://issuu.com/parliamentarians/docs/nap_np86-1-wwwfinal) See end note three and four for the real life examples on long, but not permanent disqualifications for holding office. The petitioner will note that Ms. Harlos, in another case, referred to, but did cite, this article.

<sup>4</sup> Video Timestamp: 28:08-28:42 Exhibit 4

<sup>5</sup> <https://en.wiktionary.org/wiki/deem> The screenshot is below.

deem”), from Old English *dēman* (“to decide, decree, deem”),<sup>[1]</sup> from Proto-West Germanic *\*dōmijan*, from Proto-Germanic *\*dōmijaną* (“to judge, think”), from Proto-Indo-European *\*dʰeh₁-* (“to set, put”).

The word is cognate with Danish and Norwegian Bokmål *dømme* (“to judge”), Dutch *doemen* (“to condemn, foredoom”), North Frisian *dema* (“to judge, recognise”), Norwegian Nynorsk *døma* (“to judge”), Swedish *döma* (“to judge, sentence, condemn”), Finnish *tuomita* (“to judge”). It is also related to *doom*.<sup>[2]</sup>

**Verb** [ edit ]

**deem** (*third-person singular simple present deems, present participle deeming, simple past and past participle deemed*)

1. (*transitive, obsolete*) To judge, to pass judgment on; to doom, to sentence. [synonym ▲] [quotations ▼]  
Synonym: judge
2. (*transitive, obsolete*) To adjudge, to decree. [synonym ▲] [quotations ▼]  
Synonym: judge
3. (*transitive, obsolete*) To dispense (justice); to administer (law). [synonym ▲]  
Synonym: judge
4. (*ditransitive*) To hold in belief or estimation; to adjudge as a conclusion; to regard as being; to evaluate according to one's beliefs; to account. [synonyms ▲] [quotations ▼]  
Synonyms: consider; see also Thesaurus:deem  
*She deemed his efforts insufficient.*
5. (*ambitransitive*) To think, judge, or have or hold as an opinion; to decide or believe on consideration; to suppose. [quotations ▼]