

Appeal of Prior Judicial Committee Ruling.

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I believed that, with the resolution of related disputes—including the Comerica bank account matter, the seating of delegates to the national convention, and the subsequent election of a new Executive Committee—the Party could move forward and focus on its future.

However, ongoing reliance on the prior Judicial Committee ruling as a basis for continued disputes and potential legal challenges has made it necessary to seek clarification on a central issue within that decision.

Accordingly, this appeal is filed for the limited purpose of resolving a discrete procedural question in order to provide clarity and finality moving forward.

This appeal is narrowly tailored and does not seek to revisit or disturb actions taken during the relevant period. It does not challenge the validity of officer or delegate elections, nor does it seek any remedy with respect to actions taken by the Executive Committee during that time.

Rather, this appeal is limited to determining whether the removal of Andrew Chadderdon as Chair at the July 9, 2022 convention was valid under the bylaws and applicable parliamentary authority, and whether the subsequent restoration of Mr. Chadderdon to that office was therefore in error. Full appeal in comments

Dave Canny

APPEAL OF PRIOR JUDICIAL COMMITTEE RULING REGARDING REMOVAL OF CHAIR ANDREW CHADDERDON

1. Introduction

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of Michigan. I believed that, with the resolution of related disputes; including the Comerica bank

account matter, the seating of elected delegates to the national convention, and the subsequent

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Rather, this appeal is limited to determining whether the removal of Andrew Chadderdon as

Chair at the July 9, 2022 convention was valid under the bylaws and applicable parliamentary

authority, and whether the subsequent restoration of Mr. Chadderdon to that office was therefore

in error.

II. Question Presented

Was the July 9, 2022 Candidate Nominating Convention a regular convention within the meaning of Robert's Rules of Order Newly Revised (RONR) and the Libertarian Party of Michigan bylaws, such that the removal of the Chair by motion of no confidence and majority

vote was in order?

III. Summary of Argument

The prior Judicial Committee ruling rests on a procedural defect: it applies limitations associated with special meetings without establishing that the July 9 convention was a special

convention as defined by the bylaws or RONR.

Under RONR, meetings are classified as either regular or special (called). The LPM bylaws likewise provide for both scheduled conventions and separately defined special conventions.

Because the July 9 convention was:

- Held pursuant to a standing bylaw requirement; and
- Not called under the provisions governing special conventions;

it meets the definition of a regular convention.

At a regular convention, the removal of the Chair by motion of no confidence and majority vote

was expressly authorized by the bylaws and was properly conducted.

IV. Argument

A. The July 9 Convention Was a Regular Convention Under RONR

RONR defines a regular meeting as a periodic meeting held at intervals established by the

bylaws (RONR 12th ed. §9:1).

The LPM bylaws require that a Candidate Nominating Convention be held in even-numbered

years at a defined time relative to the election cycle. This establishes the convention as a periodic and scheduled meeting, satisfying the definition of a regular meeting.

By contrast, the bylaws define a special convention as one called by the Executive Committee

or by petition, with a specified purpose. The July 9 convention was not called under those provisions.

Accordingly, it must be classified as a regular convention.

B. The Prior Ruling Applies Special Meeting Restrictions Without a Valid Classification

The prior Judicial Committee ruling concludes that the July 9 convention was not a regular convention, yet does not establish that it was a special convention called in accordance with the

bylaws.

Despite this, the ruling applies rules that are specific to special meetings, including:

- Restrictions limiting business to items specified in the call; and
- Heightened notice requirements tied to that limitation.

This creates a procedural inconsistency:

Rules applicable only to special meetings were applied to a convention that was not classified or called as a special meeting.

Neither RONR nor the bylaws recognize such a hybrid classification. A meeting must be treated

as either regular or special, and the applicable rules must follow from that classification.

C. Contemporaneous Understanding of the Convention

At the time of the July 9 convention, the body proceeded under the understanding that it was

conducting business at a convention authorized by the bylaws, without any determination that it

was a special convention subject to limited-purpose restrictions.

No ruling or sustained objection established that the meeting was a special convention or that

the business before the body was out of order on that basis.

The characterization of the convention as something other than a regular convention arose only

after the fact in the context of the subsequent appeal.

While not dispositive, this contemporaneous understanding supports the conclusion that the

later application of special meeting restrictions reflects a post hoc reclassification rather than a consistent application of the rules.

D. At a Regular Convention, the Removal Was Valid

The bylaws expressly provide that a member of the Executive Committee may be removed:

- By a majority vote at convention,
- Following a motion of no confidence.

Notice of the intent to remove was provided more than 14 days in advance to the Executive Committee, satisfying the only explicit notice requirement applicable to removal.

Under RONR, at a regular meeting, business within the organization's authority may be transacted unless a specific rule requires additional notice. No such additional requirement

applies to the removal provision at issue.

Accordingly, the removal of the Chair was properly conducted and valid.

V. Conclusion

The prior Judicial Committee ruling rests on a misclassification of the July 9 convention and the

application of rules that do not follow from any recognized meeting type under the bylaws or RONR.

When properly classified as a regular convention, the removal of Andrew Chadderdon as Chair:

- Was authorized by the bylaws;
- Met applicable notice requirements; and
- Was validly adopted by the convention body.

For these reasons, the prior ruling should be reversed in part, and the removal of the Chair should be recognized as valid.

This limited determination will provide needed procedural clarity while preserving the stability of

subsequent actions and allowing the Party to move forward.