

JUDICIAL COMMITTEE APPEAL

To Declare Null and Void Certain Actions of The Libertarian National Committee for Failure of Notice and For Imposing Disciplinary Sanctions Without Authority or Due Process

REPLY TO LNC RESPONDENT BRIEF

I. The Respondent's Own Timeline Links the Disciplinary Committee and the SIC

The Respondent attempts to distinguish between the Disciplinary Investigatory Committee and the Special Investigatory Committee ("SIC"), but its own factual record demonstrates the opposite.

The Respondent acknowledges that the original committee was formed:

“to investigate allegations of misconduct by our Chair, Angela McArdle, which, if true, cast doubt on her fitness to continue in office... and... report resolutions covering its recommendations.”

After Ms. McArdle's resignation, the Respondent further states that the disciplinary committee was discharged:

“as moot due to resignation of Ms. McArdle and subsequent appointment of special investigatory committee.”

This language directly links the two bodies.

The SIC was not a distinct, non-disciplinary inquiry. It was the functional continuation of the same investigation, redirected after resignation.

That continuity is reflected in the SIC's output, which included findings of misconduct and recommendations that:

the LNC “deems Angela McArdle unfit to serve on the Libertarian National Committee... or as a candidate representing the Libertarian Party.”

These are not neutral observations. They are determinations of unfitness and exclusion.

II. The Respondent Fails to Provide a Standard for When Actions Become Disciplinary

The Respondent criticizes the Petitioner’s “disciplinary in substance” framework as vague, stating:

“The petitioner appears to advocate for a standard... that treats any motion that names an individual and recites findings of misconduct as disciplinary... This creates a problem.”

But the Respondent offers no alternative standard.

It does not explain:

- when findings of misconduct trigger protections,
- when reputational condemnation becomes sanction, or
- when exclusion from Party roles requires due process.

Instead, it relies on labels such as “special committee,” “opinion,” “censure” while ignoring substance. This is precisely the principle already addressed by the Judicial Committee.

In *Phillies v. LNC (2024)*, the Committee recognized that accusations affecting a member’s reputation trigger due process protections, citing:

“A member or officer has the right that allegations against his good name shall not be made except by charges... [and] has the right to due process... to be informed of the charge... and to be fairly treated.”

The SIC actions fall squarely within this framework.

III. Discharging the Disciplinary Committee Does Not Eliminate Discipline. It Repackages It.

The Respondent argues that because the disciplinary committee was discharged, no disciplinary process occurred.

But the record shows the opposite.

The disciplinary committee was discharged **because the SIC was created**.

The SIC then produced:

- findings of misconduct,
- conclusions of “unfitness,” and
- resolutions imposing reputational and functional consequences.

The Respondent's theory would permit the LNC to:

1. initiate a disciplinary investigation,
2. re-label it as "special," and
3. impose the same substantive outcomes without due process.

That is precisely the type of evasion the Party's governing rules prohibit.

As the Judicial Committee emphasized in *Harlos II* (2024):

"no charges means ... no valid vote."

Here, no charges were ever brought yet findings and sanctions were imposed.

IV. The SIC Report and Resolutions Were Disciplinary in Substance

The Respondent relies on RONR 61:2 fn.1 to argue:

"It is also possible to adopt a motion of censure without formal disciplinary procedures."

That statement is incomplete in this context.

The SIC report and its appurtenant resolutions did not merely express disapproval. They:

- declared misconduct,
- asserted financial wrongdoing,
- declared an individual "unfit," and
- restricted future participation in Party roles.

These actions imposed:

- reputational harm,
- functional disqualification, and
- coercive directives.

Under *Phillies*, such actions implicate due process.

Under *Harlos II*, they cannot be valid without charges.

V. The Respondent Ignores the Absence of Notice at the Time of the Meeting Call

The Respondent asserts that notice requirements were satisfied. But it does not address a critical fact:

At the time the June 9 special meeting was called, the SIC had not yet finalized or adopted its report. **As a result, at the time notice was given the SIC report did not exist.**

Members were told only that they would:

“consider the adoption of the report.”

They were not informed that:

- findings of misconduct would be adopted,
- individuals would be declared “unfit,” or
- resolutions imposing consequences would be introduced.

RONR requires that special meeting notice disclose the nature of the business to be conducted.

Notice of a report is not notice of discipline.

VI. The Respondent’s Position on Previous Notice Is Internally Contradictory

The Respondent asserts:

“Previous notice is not required unless specified...”

Yet the LNC itself later declared the June 9 resolutions:

“null and void” for lack of notice.

This contradiction is further confirmed by the joint dismissal request in *Jacobs v. LNC*, where both parties stated:

“We feel that the matters raised in this appeal have been resolved.” **Exhibit 10.**

The only basis for that resolution was the LNC’s acknowledgment that its prior actions were defective and required re-noticing.

The Respondent cannot now argue that notice requirements were satisfied when its own actions, such as the joint filing, demonstrate otherwise.

VII. The Respondent Concedes Ambiguity but Offers No Rule

The Respondent admits uncertainty regarding what protections apply, stating:

“it is unclear whether a general member of the party would be entitled to the same member rights...”

This admission is significant.

Where ambiguity exists in rules affecting member rights, both RONR and Party precedent require that such ambiguity be resolved **in favor of protecting those rights**.

The Respondent offers no limiting principle.

Without one, its position would allow the LNC to:

- investigate any member,
- make findings of misconduct, and
- impose reputational and functional consequences

without ever triggering due process protections.

That result is incompatible with both *Phillies* and *Harlos II*.

VIII. Conclusion

The Respondent's position collapses under its own record.

It admits:

- the SIC replaced a disciplinary committee;
- ambiguity exists regarding member protections; and
- notice defects required corrective action.

Yet it asks the Judicial Committee to accept that:

- no discipline occurred,
- no procedural protections were required, and
- no violation exists.

The record shows otherwise.

The SIC process was a continuation of a disciplinary investigation, and the resulting actions were disciplinary in substance. Because those actions were taken without charges, notice, or an opportunity to be heard, they violated the Party's governing rules and must be declared null and void.

Date: March 25, 2026

Respectfully submitted,

Jesse Campbell, Esq.
On behalf of Petitioners

Exhibit List

10. *Request for Dismissal by Jonathan M. Jacobs, Petitioner and Jonathan McGee, on behalf of the LNC*, Jacobs v. LNC. LPedia. August 26, 2025. Retrieved from <https://lpedia.org/wiki/Special:Redirect/file/Lnc-jacobs-joint-dismissal-request-2025-08-26.pdf>.