

AMICUS CURIAE BRIEF FOR HECTOR ROOS¹ IN SUPPORT OF RESPONDENT (KOSIN VS. LNC)

Date Submitted: February 2, 2025

In Laurence of Arabia, the epic story about WW1-era Arab revolt against Ottoman control, there is a particular scene of when the Arabs take the city of Damascus and form a new government to take note of.

The Arabs are a tribal society with different tribes that fought and spilled blood warring against each other for generations. The effort of trying to form a government of their own was a mess with many bringing up old animosities at the conclusion of conflict against their common enemy. As the story goes Colonel Laurence gave up trying to mediate and returned home.

By comparison, the Libertarian Party similarly finds itself divided with various ideological factions at odds with one another after a contentious election cycle. The JC is being asked like Colonel Laurence to keep the peace. This is an exhaustive situation of choosing sides between friends opposed to one another.

It is perfectly reasonable to be unreasonable at such times. Unreasonable situations like in Colonel Laurence's story and today with the appeal to the JC for a perfectly reasonable response.

While it is perfectly reasonable for the JC to weigh in on the Kosin Appeal, it is unreasonable for people to continue to ask the JC to weigh in on speculative scenarios.

In this appeal, only one LNC decision is before the JC to review (Article 7, Section 12): Was the policy manual amended by the LNC consistent with the bylaws? **It was. The LNC adopted the policy manual amendment unanimously** ([Ballot: PM Trial Amendment](#)).²

In case it is not clear just how speculative the requested relief is in this appeal, consider:

1. The LNC can and will amend the policy manual in the future.¹
2. The LNC can suspend any standing rules and special rules of order. This occurred in the Harlos disciplinary proceeding when the rules were suspended with prior notice to allow for recording in Executive Session ([Ballot: 20241109-02](#)) and when Charge 2 was adopted unanimously ([Ballot: 20241109-04](#) / [Ballot: 20241006-06](#)) it implicitly suspended the previous Policy Manual Section 1.01.4.³
3. The LNC can reach an agreement to a disciplinary proceeding that is not contradicted by DC Code, the LP Bylaws, Policy Manual or RONR such as by entering into an alternative dispute resolution such as binding mediation.
4. The LNC may yet have other possible actions that have not been imagined by this amicus to which a disciplinary proceeding will not be subject to this policy manual language.

The LNC will have to consider this policy manual language on the rare occurrence it holds disciplinary proceedings and at that time, the JC will consider an appeal raised on the sufficiency of the policy manual language by a suspended officer or at-large member. And Colonel Laurence returned home.

¹ Roos is a prospective respondent to appeal. See LP Bylaws 7.12 and JC RAP Rules 1.4.

² See RONR (12 ed.) 10:45, 25:2, 25:12-13

³ See RONR (12th ed.) 2:16,18; see also 25:2 (7) (“[N]o rule protecting a minority of a particular size can be suspended in the face of a negative vote as large as the minority protected by the rule.” See *Phillies’ Decision* FN 16.