

BEFORE THE JUDICIAL COMMITTEE OF THE LIBERTARIAN PARTY

Date: April 27, 2022

Petitioners: Andrew Cordio, as Chair of the Libertarian Association of Massachusetts, representing a constructively disaffiliated affiliate and thereby allowed an automatic appeal as per Libertarian Party National Bylaws Article 5.6 and members comprising at least 1% of the national Libertarian Party's Sustaining Members as allowed by Libertarian Party National Bylaws Article 7.12.

Interested Parties: Any persons claiming to be current members of the leadership of the Libertarian Party of Massachusetts and/or the Libertarian Association of Massachusetts including the following State Committee elected at a specially called convention concluding on February 26th, 2022, as follows:

- Andrew Cordio, Chair
- Charlie Larkin, Treasurer & Archivist
- Scott Gray, Recording Secretary
- Jason Brand, Membership Director
- Janel Holmes, Political Director
- David Burnham, Operations Director
- Thomas Eddlem, Communications Director
- Brodi Elwood, Technology Director
- Daniel Garrity, Fundraising Director

And the former State Committee prior to the above election, as follows:

- Ashley Shade(resigned), Chair
- Cris Crawford, Treasurer
- Derek Newhall, Recording Secretary
- Michael Burns, Political Director
- Andrew Moore, Membership Director
- Jeremy Thompson, Operations Director
- Daniel Riek (Acting), Technology Director
- Tara Desisto

The Libertarian National Committee

Relief Requested: That the LNC hear and decide on the matter of the Resolution submitted by Rich Bowen and co-sponsored by Susan Hogarth, Ken Moellman, Steven Nekhaila, Joshua Smith, and Erik Raudsep as put forth below and supported by the **Notice of Filing Exhibit 1** which was filed separately and can found here: <https://tinyurl.com/MA-Exhibit-1-Timeline>.

Committee Jurisdiction: Libertarian Party National Bylaws Article 8.2(a) and 8.2(d).

Petitioner Cordio's Reply to the LNC Response to Initial Petition

1. The LNC Spends the Majority of its Response Arguing the Underlying Motion

While the Petitioner certainly believes that the merits of the underlying motion that was ruled Out of Order by the Party Chair and sustained by the LNC favor his and the petitioning members' case, this Appeal is not about that motion but about the very limited ruling prohibiting that motion from even being heard. In fact, the Petitioner would argue that it is highly improper for the Party Chair (who is the only signatory) to be arguing about the merits of the underlying motion that were not part of the ruling that is the subject of this appeal. The full LNC has had NO vote on the underlying motion and if the Judicial Committee finds for the Petitioners in this appeal, it would be highly inappropriate for the Party Chair to preside over that motion as she has shown herself to be a partisan in the LNC Response and in her decision to attend the convention of the MA Respondents in her official capacity, thus blatantly "taking a side."

Thus, since the underlying motion is not the subject of this Appeal, the Petitioner will not be replying to the LNC's Response that goes afield of the issue at hand. If the underlying motion is heard and lost, the Petitioner is fully prepared to file and argue those issues in a second Appeal.

2. The recent Judicial Committee ruling in the *Libertarian Party of Delaware* is directly on point

The Response of the LNC did not address the actual issue at all, and that is this Judicial Committee's prior ruling that when there is dispute as to the identity of the proper Board and Chair of an affiliate, it is the LNC's duty to investigate the matter to see if there is a clear answer so that it can perform the duties it owes to its affiliates under its own Bylaws and such an investigation is not a violation of an affiliate's autonomy which interpretation would render the rest of the national Bylaws absolutely absurd. In short, the LNC's Response simply repeated the same failed arguments it used in the *Delaware* matter.

3. The National Bylaws make the Judicial Committee the final arbiter of items under its authority between conventions

The LNC's behavior since the *Delaware* decision has shown utter disrespect for this Judicial Committee and the authority granted it by the membership. It is understandable that not every decision will be popular. The remedy at that point is to submit the matter to the delegates at the next national convention. However, this LNC has been abusing its position of power and Party resources (*i.e.*, the LNC Business list) to defame this Committee and its Chair. While individual LNC members should be free to express their

personal opinions on their own personal spaces, it is a gross abuse of privilege to use Party resources to do so and such conduct should not be rewarded.