

Rebuttal to Response, Appeal on 2025 Convention Notice

Date: Dec. 16, 2024
To: LPCA Judicial Committee
From: Appellants
Re: Rebuttal to respondents' response

1. Respondents responded as follows:

“Appellants do not cite any bylaws or rules from Robert’s Rules of Order giving a specific definition of “notice to the membership” in this context,¹ and none appear to exist.”

Our rebuttal:

- A. In the absence of a bylaws definition to the contrary, it is self-evident that LPCA considers the word “membership” to be inclusive of all individuals who are its *members*.

“Member” is defined within RONR (12th ed.) 1:4:

“A *member* of an assembly...is a person entitled to full participation in its proceedings, that is ... the right to *attend meetings*, to *make motions*, to *speak in debate*, and to *vote*....

“Whenever the term *member* is used in this book, it refers to full participating membership in the assembly unless otherwise specified.”

And, “member” is defined within Bylaw 5: Definitions, Section B, as follows:

“Central committee member”: A person who is *eligible* to vote on party business consistent with these bylaws and convention rules.” (emphasis added)

And Bylaw 6: Membership, Section 1, dictates how an individual becomes “eligible”:

“Individuals may be members of the State Central Committee by meeting the following requirements:

- a. Residing in California, and
- b. Accepting the Certification, and
- c. Being a registrant of the Libertarian Party if eligible, and either
 1. Holding elected public office in the State of California..., or
 2. Paying such dues as prescribed by the Executive Committee

“No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.”

- B. “Notice” requirement is prescribed in RONR (12th ed.) 9:5

“When notice is required to be sent, unless a different standard is specified, that requirement is met if written notice is sent to each member either:

- a. by postal mail to the member’s last known address; or
- b. by a form of electronic communication, such as e-mail or fax, by which the member has agreed to receive notice.”

2. Respondents responded as follows :

“Respondents ...will of course work to reschedule the convention and provide the required notice if the Judicial Committee determines that this provision mandates an email to all current members shown in Neon.”

Our rebuttal:

We appreciate respondents’ acknowledgement and willingness. But to be clear, the corrective action we requested, pertinent to the aforementioned statement, is as follows:

“Providing at least 120 days’ notice to the entire membership per the bylaws, being clear that this corrects and supersedes previous information.” (“Request for Remedies,” point B)

Thank you for your consideration.

Sincerely,

Aaron Bonn
Elizabeth C. Brierly
Mark W.A. Hinkle
Chris Minoletti
Jessica Tewksbury